

Judge Hellerstein

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X

EXPRESS, LLC,

Plaintiff,

v.

CLOTHING FOR MODERN TIMES LTD.
D/B/A URBAN BEHAVIOR and
CMT AMERICA CORP.,

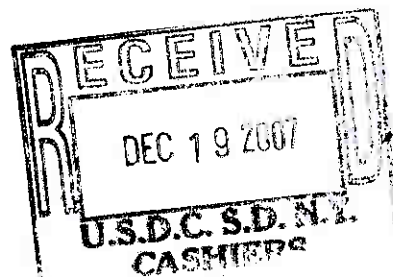
Defendants.

-----X

07 CV 11410

Civil Action No. ____

JURY TRIAL DEMANDED



COMPLAINT

Plaintiff, EXPRESS, LLC (hereinafter "plaintiff" or "Express"), by its attorneys, for its complaint against CLOTHING FOR MODERN TIMES LTD. D/B/A URBAN BEHAVIOR and CMT AMERICA CORP. (hereinafter "defendants"), alleges:

NATURE OF THE ACTION

1. This is an action for copyright infringement in violation of the copyright laws of the United States, namely, 17 U.S.C. § 501; federal trademark infringement in violation of the Section 32 of the Lanham Act, 15 U.S.C. § 1114; federal unfair competition in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a); for violation of Section 360-l of the New York General Business Law; and trademark infringement and unfair competition under the common law of the State of New York. Plaintiff brings this action based on defendants' unauthorized sale and distribution of apparel featuring plaintiff's copyrighted designs and trademark. Plaintiff seeks

permanent injunctive relief, compensatory, statutory, and punitive damages, and recovery of its reasonable costs and attorneys' fees.

THE PARTIES

2. Plaintiff, EXPRESS, LLC, is a Delaware corporation, having its principal office and place of business at One Limited Parkway, Columbus, Ohio 43230.

3. Upon information and belief, defendant CLOTHING FOR MODERN TIMES LTD. D/B/A URBAN BEHAVIOR (hereinafter "Urban Behavior") is a Province of Ontario corporation, having its principal office and place of business at 300 Supertest Road, North York, Ontario, M3J 2M2, Canada.

4. Upon information and belief, defendant CMT AMERICA CORP. (hereinafter "CMT") (formerly known as Fair Vane Corp.) is a Delaware corporation, having its principal office and place of business at 205 Enterprise Drive, Bristol, Connecticut 06010-9589, and is authorized to do business in the State of New York.

JURISDICTION AND VENUE

5. This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) and (b) and 15 U.S.C. § 1121. This Court has supplemental jurisdiction over plaintiff's state law claims pursuant to 28 U.S.C. § 1367.

6. This Court has personal jurisdiction over defendants on the grounds that, among other things, plaintiff's causes of action arise from defendants' transaction of business within the State of New York or contracts to supply goods in the state, defendants committed tortious acts within the state and, upon information and

belief, for the additional reason that defendants are engaged in a continuous and systematic course of doing business in the State of New York.

7. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b) and (c) and 1400 (a) because a substantial part of the events giving rise to the causes of action occurred in this district and the defendants transact business and/or have substantial contacts within this judicial district and because defendants are subject to personal jurisdiction within this judicial district and, therefore, reside herein.

FACTS COMMON TO ALL COUNTS

A. Plaintiff's Ownership of the Express Graphics and GRIFFIN Design Mark

8. Express owns and operates over six hundred EXPRESS retail stores throughout the United States, including in the State of New York and this judicial district, as well as the EXPRESS website located at www.expressfashion.com. Express is a leading purveyor of stylish fashions and accessories for women and men that it sells in its trend-setting EXPRESS retail establishments, including retail locations in New York. In fiscal year 2006, Express' retail sales exceeded \$1.7 billion.

9. Express created and developed various graphics for use on clothing, which contain material wholly original to Express and constitute copyrightable subject matter under the Copyright Law of the United States (the "Express Graphics"). Since the publication dates of the Express Graphics, Express has complied in all respects with the Copyright Revision Act of 1976, Title 17, United States Code, and all other laws governing copyright, has secured the exclusive rights and privileges in and to the copyrights of said Express Graphics and received from the Register of Copyrights the following certificates of registration:

<u>Copyright Title</u>	<u>Registration No.</u>	<u>Date of Registration</u>
Pirate Radio	VA 1-623-649	December 6, 2007
Triangle Beneath Canal	VA 1-623-560	December 6, 2007
Fleur De Lion	VA 1-623-556	December 6, 2007
Crown Skull	VA 1-623-557	December 6, 2007
Night Passes	VA 1-623-555	December 6, 2007
After Forever	VA 1-623-645	December 6, 2007
Twin Lion Loyalty	VA 1-623-559	December 6, 2007
Norvus Ordo	VA 1-623-646	December 6, 2007
Metropol	VA 1-623-558	December 6, 2007
Spoils – Methods	VA 1-623-648	December 6, 2007
Honor Skull	Application Pending	
Sound Skull	Application Pending	

Express is the sole owner of all right, title and interest in and to the copyrights in the foregoing registrations, copies of which are attached hereto and incorporated herein by reference as Exhibit A.

10. Express is the owner of U.S. Trademark Registration No. 3,090,209 of the GRIFFIN Design trademark (the "GRIFFIN Design Mark") for clothing in International Class 25 and which is used on and in connection with the sale of numerous apparel products. A true and correct copy of Express' GRIFFIN Design Mark registration is attached hereto and incorporated herein by reference as Exhibit B.

11. Express first used the GRIFFIN Design Mark in February, 2004 and has since continuously used the GRIFFIN Design Mark.

12. By virtue of its prior adoption and use in interstate commerce, the GRIFFIN Design Mark serves to identify to the public certain goods that are offered only by Express and are regarded by the public as being offered, sponsored, approved, or authorized by, or associated or affiliated with Express.

B. The Unlawful Activities of Defendants

13. Upon information and belief, defendant Urban Behavior owns and/or operates approximately 125 Urban Behavior retail stores in Canada and the United States, including in the State of New York, which offer for sale and sell clothing and accessories for men and women.

14. Upon information and belief, defendant CMT is the successor-in-interest to Fair Vane Corp. and is the corporate parent of defendant Urban Behavior and is the importer of record for Urban Behavior's merchandise in the United States.

15. Defendants, without the authorization, consent or knowledge of plaintiff and without any remuneration to plaintiff, have obtained, sold, advertised, and distributed men's apparel, namely t-shirts, featuring the Express Graphics (the "Urban Behavior Shirts"). The graphics featured on the Urban Behavior Shirts are virtually identical to the Express Graphics. In addition, four of the Urban Behavior Shirts bear a griffin design that is confusingly similar to Express' GRIFFIN Design Mark. True and accurate color photocopies depicting the infringing Urban Behavior Shirts alongside the corresponding Express original bearing the Express Graphics are attached hereto and incorporated herein by reference as Exhibit C.

16. Upon information and belief, defendants willfully and intentionally appropriated the Express Graphics and GRIFFIN Design Mark in an effort to trade on

the goodwill and reputation of Express and its GRIFFIN Design Mark and thereby gain an unfair competitive advantage over Express. Defendants' Urban Behavior Shirts, which are virtually indistinguishable from the original Express Graphics, are blatant copies of Express' merchandise that defendants have marketed as their own.

17. Upon information and belief, defendants are manufacturing or causing to be manufactured, importing, distributing, advertising and selling the Urban Behavior Shirts that violate Express' exclusive rights in the copyrights for the Express Graphics and its prior rights in and to the GRIFFIN Design Mark.

18. On December 4, 2007, Express, through its counsel, communicated its written objections to defendants' use of the Express Graphics and GRIFFIN Design Mark on the Urban Behavior Shirts. Express also demanded that defendants (a) identify their source of the Urban Behavior Shirts, (b) discontinue all further sales of the Urban Behavior Shirts, and (c) provide Express with an accounting of their sales and inventory. Defendants failed to provide a satisfactory response.

19. All of defendants' acts set forth herein were performed without the permission, license or authority of Express.

20. As a result of defendants' acts of copyright infringement, trademark counterfeiting and infringement and unfair competition, Express has suffered and will continue to suffer irreparable harm, for which Express has no adequate remedy at law, as well as damages and lost profits.

COUNT I

FEDERAL COPYRIGHT INFRINGEMENT (17 U.S.C. § 501, et seq.)

21. Express repeats and incorporates herein by reference each and every one of the averments contained in paragraphs 1 through 20, inclusive, of this complaint with the same force and effect as if hereinagain set forth in detail.

22. The Express Graphics are original works of visual art containing copyrightable subject matter for which copyright protection exists under the Copyright Act, Title 17 of the United States Code. Express is the exclusive owner of rights under copyright in and to the Express Graphics and owns valid federal copyright registrations for the Express Graphics. (Exhibit A)

23. Defendants have designed, manufactured or caused to be manufactured, imported or caused to be imported, distributed or caused to be distributed and/or sold the Urban Behavior Shirts bearing the Express Graphics without authorization or consent from Express, thereby infringing Express' exclusive rights under copyright in violation of Section 501 of the Copyright Act, 17 U.S.C. § 501.

24. The Urban Behavior Shirts are substantially similar, if not identical, to the copyrighted Express Graphics, which are shown side-by-side in Exhibit C.

25. Defendants' acts violate the exclusive rights of Express under Section 106 of the Copyright Act and constitute copyright infringement in violation of Section 501 of the Copyright Act, 17 U.S.C. § 501.

26. Defendants' infringement of Express' rights under copyright is knowing and willful, has caused damages to Express and enabled defendant to profit illegally therefrom.

COUNT II

FEDERAL TRADEMARK INFRINGEMENT (15 U.S.C. § 1114)

27. Express repeats and incorporates herein by reference each and every one of the averments contained in paragraphs 1 through 26, inclusive, of this complaint with the same force and effect as if hereinagain set forth in detail.

28. Defendants have intentionally copied and used Express' GRIFFIN Design Mark without the authorization, permission or consent of Express in interstate and intrastate commerce in connection with the offering for sale, sale, distribution, and/or advertising of merchandise in a manner that is likely to cause confusion, mistake, or deception as to the true source or sponsorship of defendants' goods.

29. Defendants are offering for sale and selling in interstate commerce items of men's apparel bearing the Griffin Design Mark, which are reproductions, counterfeits, copies and/or colorable imitations of genuine EXPRESS merchandise that bear the Griffin Design Mark. As a result, defendants' distribution and sale of the Urban Behavior Shirts are likely to cause confusion, to cause mistake, or to deceive persons into the erroneous belief that such merchandise is genuine EXPRESS merchandise, or that it is approved, licensed, endorsed or sponsored by Express or that it is in some way connected with Express.

30. Defendants' infringement of Express' trademark rights is knowing and willful, in violation of Section 32 of the Lanham Act, 15 U.S.C. § 1114.

COUNT III

FEDERAL UNFAIR COMPETITION (15 U.S.C. § 1125(a))

31. Express repeats and incorporates herein by reference each and every one the averments set forth in paragraphs 1 through 30, inclusive, of this complaint with the same force and effect as if hereinagain set forth in detail.

32. The Urban Behavior Shirts sold by defendants use copies, variations, simulations or colorable imitations of Express' GRIFFIN Design Mark and constitute false designations of origin, false descriptions and representations of goods sold by defendants and false representations likely to mislead the trade and public into believing that defendants' goods are sponsored, endorsed, licensed or authorized by or affiliated or connected with Express.

33. Defendants' acts complained of herein constitute deliberate and willful violations of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

COUNT IV

VIOLATION OF SECTION 360-I OF THE NEW YORK GENERAL BUSINESS LAW

34. Express repeats and incorporates herein by reference each and every one of the averments contained in paragraphs 1 through 33, inclusive, of this complaint with the same force and effect as if hereinagain set forth in detail.

35. Express' GRIFFIN Design Mark is distinctive.

36. Defendants' distribution and sale of the Urban Behavior Shirts is likely to dilute the distinctive quality of Express' GRIFFIN Design Mark and has, among other things, diminished its ability to serve as a source and product identifier.

37. As a direct and proximate consequence of defendants' willful and wanton violation of Express' rights, Express' business reputation and the goodwill associated with the GRIFFIN Design Mark and the favorable associations that consumers and the public make with the mark have been impaired and diminished, and the GRIFFIN Design Mark is likely to be diluted.

38. Defendants' conduct described above constitutes a violation of Section 360-I of the New York General Business Law.

COUNT V

COMMON LAW TRADEMARK INFRINGEMENT AND UNFAIR COMPETITION

39. Express repeats and incorporates herein by reference each and every one of the averments contained in paragraphs 1 through 38, inclusive, of this complaint with the same force and effect as if hereinagain set forth in detail.

40. Defendants' activities are designed with the intent to mislead and/or deceive the trade and public into believing that defendants are authorized, endorsed, sponsored and/or sanctioned by Express or are connected, affiliated or associated in some way with Express, which they are not.

41. Defendants have intentionally and unlawfully copied and used the GRIFFIN Design Mark, without authorization, for the calculated purpose of passing off their goods as those of Express, thereby trading upon the significant goodwill and reputation of Express, deceiving the public as to the true nature and characteristics of defendants' products and falsely suggesting a connection with Express, all to defendants' profit and to the damage and detriment of Express.

42. Defendants' past and continued use of the GRIFFIN Design Mark constitutes copying and imitation of the GRIFFIN Design Mark, falsely designates the origin of the Urban Behavior Shirts, and is likely to cause consumer confusion, mistake or deception.

43. In addition to defendants' willful and blatant copying of the Express Graphics and the GRIFFIN Design Mark, defendants have copied practically verbatim various other clothing styles and designs of Express. Examples of such practices include the parties' tops depicted side-by-side in the photographs attached hereto as Exhibit D.

44. Through their sale and distribution of merchandise bearing the Express Graphics and the GRIFFIN Design Mark, along with styles that defendants imitated in Exhibit D, defendants have engaged in a studied effort to copy a significant number of designs and styles in Express' assortment of goods and thereby pass off their goods as those of Express'. By copying so many different Express styles, defendants have committed unlawful predatory practices intended to deceive customers rather than engage in legitimate competition.

45. The acts and conduct of defendants complained of herein have damaged Express and will, unless restrained, further impair, if not destroy, the value of the GRIFFIN Design Mark and the goodwill associated therewith.

46. Defendants have engaged and continue to engage in this activity knowingly and willfully.

47. Defendants' acts constitute trademark infringement and unfair competition under the common law of New York.

WHEREFORE, Express prays for the following relief:

1. Defendants, their officers, agents, servants, employees and attorneys, and those persons in active concert or participation or otherwise in privity with any of them, be permanently enjoined and restrained from:

(a) Using any aspects or features that incorporate, or are substantially identical or confusingly similar to the Express Graphics and GRIFFIN Design Mark or that are likely to create an erroneous impression that defendants' merchandise originates from Express, or is authorized, endorsed, sponsored, and/or sanctioned by Express and from otherwise infringing Express' rights;

(b) Advertising, distributing, offering for sale or selling any clothing that bears the Express Graphics and/or GRIFFIN Design Mark, or any design that is deceptively similar to the Express' Graphics and/or GRIFFIN Design Mark so as to be likely to cause confusion, to cause mistake or to deceive persons into the erroneous belief that defendants' merchandise originates from Express, or is authorized, endorsed, sponsored and/or sanctioned by Express, or is connected or associated in some way with Express and from otherwise infringing Express' rights;

(c) Using, in connection with defendants' activities or clothing, any false or deceptive designation, representation or description, or from engaging in any act or series of acts, which either alone or in combination constitute deceptive trade practices or unfair methods or competition with Express that would damage or injure Express or cause Express to suffer an unfair disadvantage in the marketplace, and otherwise interfering with or injuring the business reputation of Express;

(d) Doing any other act or thing likely to result in the mistaken belief that defendants or their merchandise are in any way affiliated or connected with Express; and

(e) Doing any other act or thing likely to cause or attempt to cause injury to Express, or the goodwill associated therewith;

2. Defendants be required to pay compensatory damages to Express for the losses it has sustained in consequence of defendants' infringement of the Express' Graphics or statutory damages, and to account to Express for all gains, profits and advantages relative to such infringement, pursuant to 17 U.S.C. § 504; and

3. Defendants be required to account to Express for any and all profits derived by them, and for all damages sustained by Express by reason of defendants' acts complained of herein, and that such damages be trebled pursuant to Section 35 of the Lanham Act, 15 U.S.C. § 1117;

4. Pursuant to Section 36 of the Lanham Act, 15 U.S.C. § 1118, defendants be required to deliver for destruction all infringing clothing, catalogs, prints, labels, packaging, wrappers, receptacles, advertisements, promotional materials, sales literature, contracts, documents, materials and the like in the possession, custody or under control of defendants or any of their officers, directors, servants, agents, employees, attorneys or other parties in active concert or participation with any of them;

5. Express be awarded compensatory damages for Counts II – IV, in an amount to be determined at trial;

6. Express be awarded punitive damages against defendants in an amount to be determined at trial;

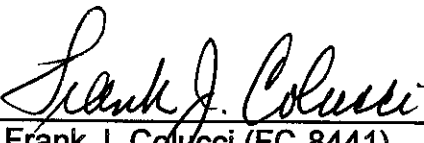
7. Defendants be required to account for all profits realized by them as a consequence of their unlawful acts and infringements alleged herein, and that the amount of profits realized by defendants by reason of their unlawful acts be increased to a sum not exceeding three times the amount thereof, as provided by law pursuant to Section 35 of the Lanham Act, 15 U.S.C. § 1117;

8. Express have and recover from defendants, Express' reasonable attorneys' fees, costs and disbursements of this civil action pursuant to Section 35 of the Lanham Act, 15 U.S.C. § 1117, and Section 505 of the Copyright Act, 17 U.S.C. § 505; and

9. Express have such other and further relief as the Court may deem just and proper.

Dated: New York, New York
December 19, 2007

COLUCCI & UMANS

By 
Frank J. Colucci (FC-8441)
218 East 50th Street
New York, New York 10022
Telephone: 212.935.5700
Facsimile: 212.935.5728
Email: email@colucci-umans.com

Attorneys for Plaintiff Express, LLC

JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues triable by a jury.

Dated: New York, New York
December 19, 2007

COLUCCI & UMANS

By Frank J. Colucci
Frank J. Colucci (FC-8441)
218 East 50th Street
New York, New York 10022
Telephone: 212.935.5700
Facsimile: 212.935.5728
Email: email@colucci-umans.com

Attorneys for Plaintiff Express, LLC

EXHIBIT

A



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Registration Number:

VA 1-623-649

Effective date of registration:

December 6, 2007

Title

Title of Work: Pyrate Radio

Nature of Work: T-Shirt Design

Completion/ Publication

Year of Completion: 2006

Date of 1st Publication: August 31, 2006

Nation of 1st Publication: United States

Author

Author: Express, LLC

Author Created: 2-Dimensional artwork

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Anonymous: No

Pseudonymous: No

Copyright claimant

Copyright Claimant: Express, LLC

One Limited Parkway, Columbus, Ohio, 43230

Limitation of copyright claim

Previously registered: No

Certification

Name: Frank J. Colucci

Date: December 5, 2007

IPN#:

Registration #:

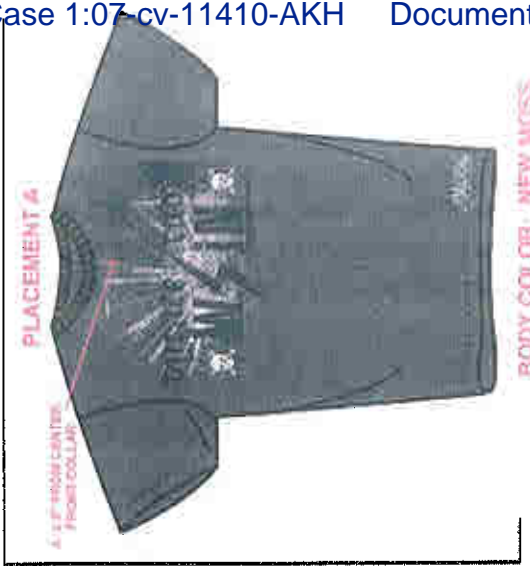
Service Request #: 1-23783266

Colucci & Urans
Frank J. Colucci, Esq.
218 East 50th Street
New York, NY 10022

GRAPHIC INFO

2250

PLACEMENT



WASH

SEE TECH PACK

GRAPHIC NAME

PYRATE RADIO

BODY STYLE

ZZP3110

TECHNIQUE

WATERBASED SCREENPRINT + DISCHARGE

VENDOR

PPP

DATE

04.04.06

GROUND	LAYER A	LAYER A
MEW MOSS	DISCHARGE	BLACK



Exhibit A - 3



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Registration Number:

VA 1-623-560

Effective date of
registration:

December 6, 2007

Title

Title of Work: Triangle Beneath Canal

Nature of Work: T-Shirt Design

Completion/ Publication

Year of Completion: 2006

Date of 1st Publication: August 31, 2006

Nation of 1st Publication: United States

Author

Author: Express, LLC

Author Created: 2 dimensional artwork

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Anonymous: No

Pseudonymous: No

Copyright claimant

Copyright Claimant: Express, LLC

One Limited Parkway, Columbus, Ohio, 43230

Limitation of copyright claim

Previously registered: No

Certification

Name: Frank J. Colucci

Date: December 5, 2007

IPN#:

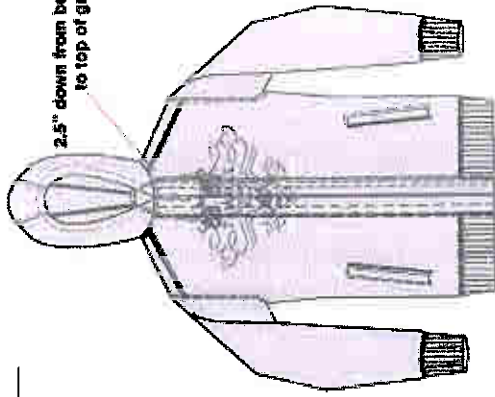
Registration #:

Service Request #: 1-23783382

Colucci & Umans
Frank J Colucci
21 8 East 50th Street
New York, New York 10022

GRAPHIC: 2300

2300



BODY COLOR: PEARL GREY

WASH

SEE TECK PACK

GRAPHIC NAME

TRIANGLE BENEATH CANAL

BODY SIZE

22F3161

TECHNIQUE

WATERBASED SCREEN PRINT

VENDOR

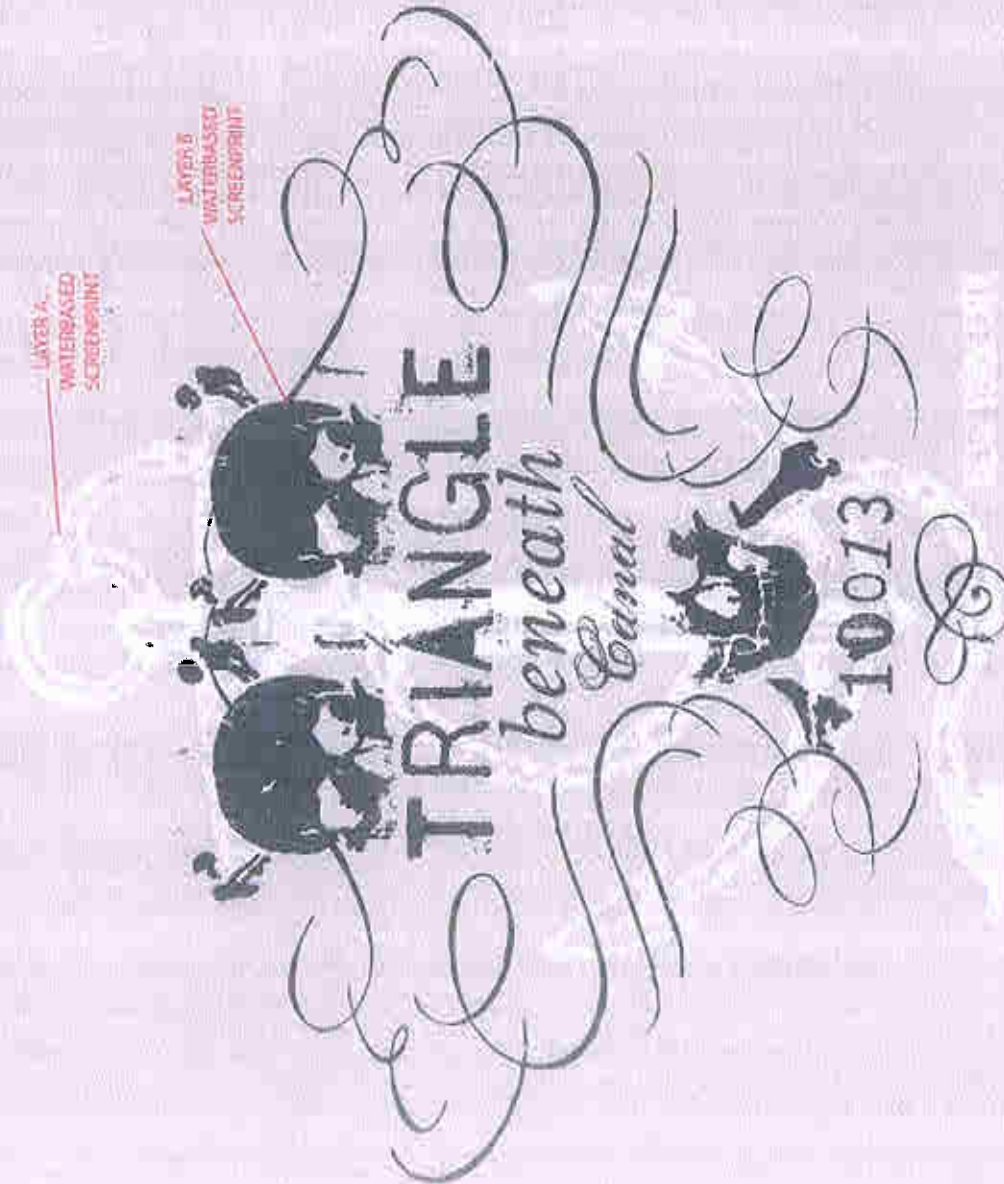
HSF

DATE

6/29/06

GROUND	LAYER A	LAYER B	LAYER C
PEARL GREY	WHITE	STEEL	

ARTWORK NOT TO SCALE.
ALL PEARL GREYS KNOCKOUT;



10013

Certificate of Registration



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Marybeth Peters

Register of Copyrights, United States of America

Registration Number:

VA 1-623-556

Effective date of registration:

December 6, 2007

Title

Title of Work: Fleir De Lion

Nature of Work: T-Shirt Design

Completion/ Publication

Year of Completion: 2006

Date of 1st Publication: January 16, 2007

Nation of 1st Publication: United States

Author

Author: Express, LLC

Author Created: 2 dimensional artwork

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Anonymous: No

Pseudonymous: No

Copyright claimant

Copyright Claimant: Express, LLC

One Limited Parkway, Columbus, Ohio, 43230

Limitation of copyright claim

Previously registered: No

Certification

Name: Frank J. Colucci

Date: December 5, 2007

IPN#:

Registration #:

Service Request #: 1-23782474

Colucci & Urnans
Frank J Colucci
218 East 50th Street
New York, New York 10022

GRAPHIC INFO

2399

3.5" down from top of neck
to top edge of sprout



BODY COLOR: SPROUT

WASH

SEE TECH PACK

GRAPHIC NAME

FLEUR DE LION

BODY STYLE

22P3110

TECHNIQUE

SCREENPRINT

VENDOR

TXM

DATE

10.26.06

GROUND	LAYER A	LAYER B	LAYER C	LAYER D
SPROUT	SUNSHINE -> SUNSHINE -> SPRING 2006	BLACK	WHITE	BLACK

PLACEMENT: CENTER CHEST.
ARTWORK NOT ACTUAL SIZE.
PLEASE RESIZE ACCORDING
TO BELOW INSTRUCTIONS.

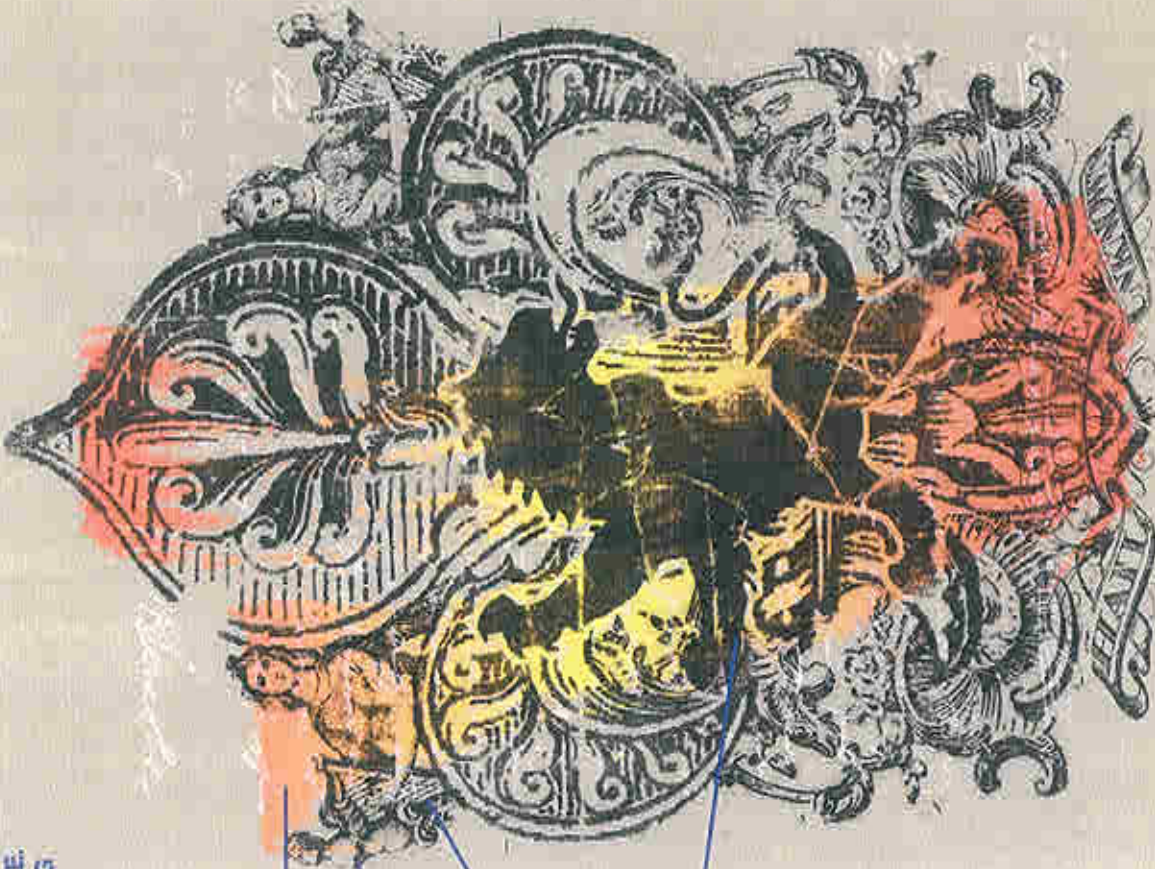
ALL SPROUT IS DROPOUT!!

LAYER A:
HALFTONE
GRADIENT
SCREENPRINT

LAYER B:
WATERBASED
SCREENPRINT

LAYER C:
WATERBASED
SCREENPRINT

LAYER D:
WATERBASED
SCREENPRINT



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Certificate of Registration



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Marybeth Peters

Register of Copyrights, United States of America

Registration Number:

VA 1-623-557

Effective date of
registration:

December 6, 2007

Title

Title of Work: Crown Skull

Nature of Work: T-Shirt Design

Completion/ Publication

Year of Completion: 2006

Date of 1st Publication: January 16, 2007

Nation of 1st Publication: United States

Author

Author: Express, LLC

Author Created: 2-Dimensional artwork

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Anonymous: No

Pseudonymous: No

Copyright claimant

Copyright Claimant: Express, LLC

One Limited Parkway, Columbus, Ohio, 43230

Limitation of copyright claim

Previously registered: No

Certification

Name: Frank J. Colucci

Date: December 5, 2007

IPN#:

Registration #:

Service Request #: 1-23782686

Colucci & Umans
Frank J. Colucci
218 East 50th Street
New York, New York 10022

PLACEMENT: CENTER CHEST.
ARTWORK NOT ACTUAL SIZE.
PLEASE RESIZE ACCORDING
TO BELOW INSTRUCTIONS.

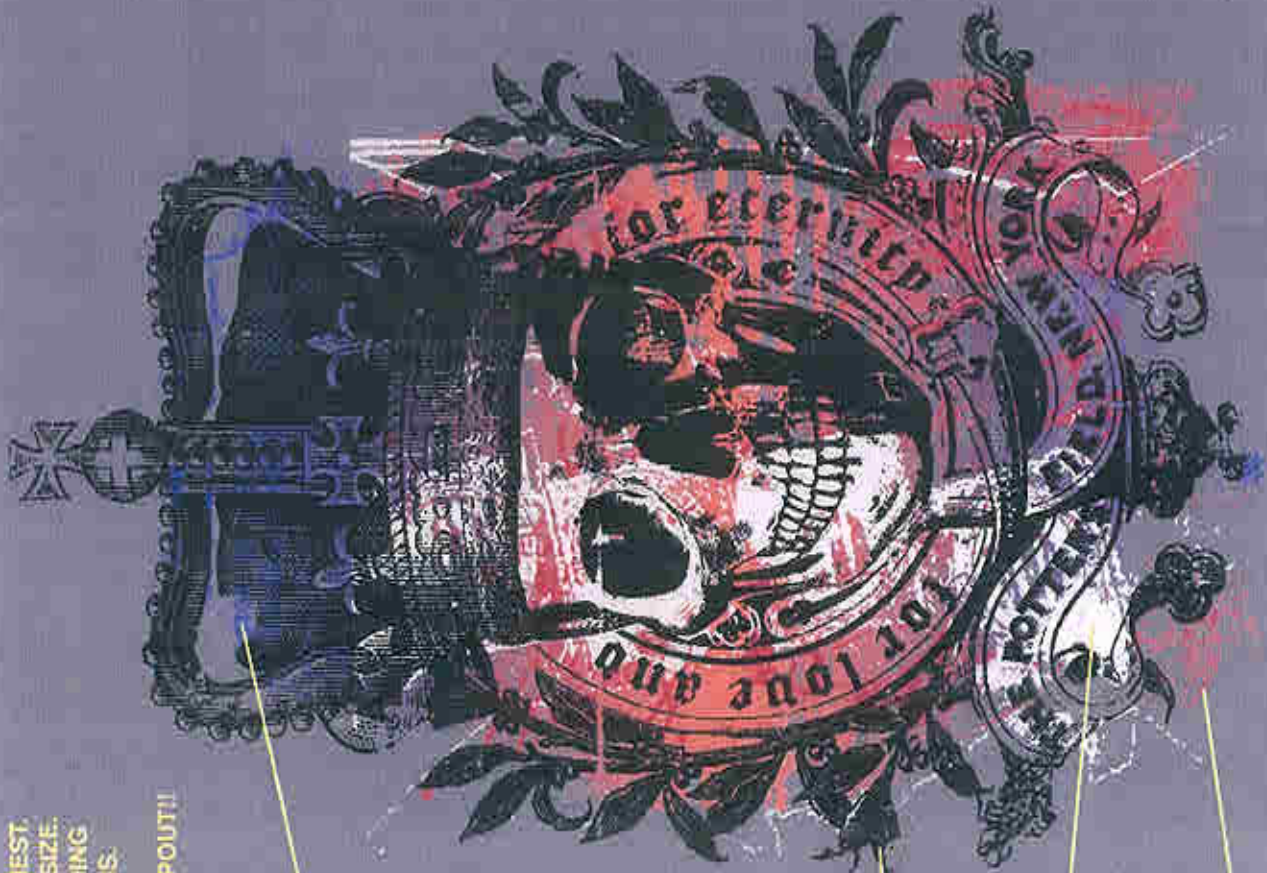
ALL STEEL GRAY IS DROPOUT!!

LAYER A:
HALFTONE
GRADIENT
SCREENPRINT

LAYER D:
WATERBASED
SCREENPRINT

LAYER C:
HALFTONE
GRADIENT
SCREENPRINT

LAYER E:
WATERBASED
SCREENPRINT



GRAPHIC INFO

2401

3.5" covers from top of neck
rip to top edge of graphic.



BODY COLOR: STEEL GRAY

WASH

SEE TECH PACK

GRAPHIC NAME

CROWN SKULL

BODY STYLE

22P9110

TECHNIQUE

SCREENPRINT + DISCHARGE

VENDOR

TXM

DATE

10.26.06

GROUND	LAYER A	LAYER B	LAYER C	LAYER D
STEEL GRAY	250C -> SUMMER SUN -> 250C	MAFS	WHITE -> DISCHARGE	BLACK

Certificate of Registration



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Marybeth Peters

Register of Copyrights, United States of America

Registration Number:

VA 1-623-555

Effective date of registration:

December 6, 2007

Title

Title of Work: Night Passes

Nature of Work: T-Shirt Design

Completion/ Publication

Year of Completion: 2006

Date of 1st Publication: January 16, 2007

Nation of 1st Publication: United States

Author

Author: Express, LLC

Author Created: 2-Dimensional artwork; Text

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Anonymous: No

Pseudonymous: No

Copyright claimant

Copyright Claimant: Express, LLC

One Limited Parkway, Columbus, Ohio, 43230

Limitation of copyright claim

Previously registered: No

Certification

Name: Frank J. Colucci

Date: December 5, 2007

IPN#:

Registration #:

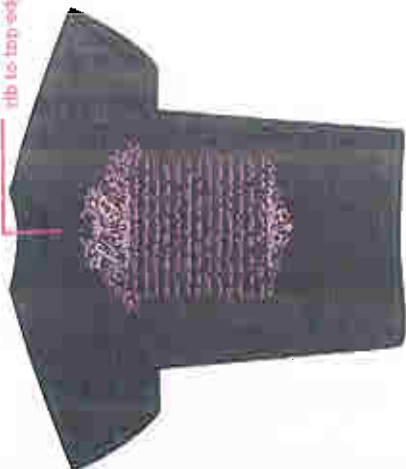
Service Request #: 1-23770541

Colucci & Umans
Frank J. Colucci
218 East 50th Street
New York, New York 10022

GRAPHIC INFO

2404

3.5" from top of neck
to top edge of graphic



BODY COLOR: RUSSIAN RUBY

WASH

SEE TECH PACK

GRAPHIC NAME

NIGHT PASSES

BODY STYLE

22P3110

TECHNIQUE

DISCHARGE

VENDOR

TXM

DATE

10.27.06

GROUND	LAYER A		
RUSSIAN RUBY	DISCHARGE		
BLACK	WHITE WATERBASE SCREENPRINT		

PLACEMENT: CENTER CHEST
ARTWORK NOT ACTUAL SIZE
PLEASE RESIZE ACCORDING
TO BELOW INSTRUCTIONS

ALL RUSSIAN RUBY
IS DROPOUT!!

LAYER A
DISCHARGE

*Even stretches to / and across the horizon & you
lie sleepless with the scent of night on your skin.
True desire to the soulless song of morning & the
tiny creatures of the earth arise from within a
secret place. The eyes get heavy. Lullabies
have run their course. Music who is the soul. As
the sun rises the reasons for being here emerge.
Great song & strong drink. The dance that
brought you together made one. A stiff breeze &
the smallest branches stretch at the window. A
gentler hands on the sill, it sways & flies away.
The sun is up. It's time to leave. You lift
back the veil. One last look & your soul*

10"

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Registration Number:

VA 1-623-645

Effective date of registration:

December 6, 2007

Title

Title of Work: After Forever

Nature of Work: T-Shirt Design

Completion/ Publication

Year of Completion: 2006

Date of 1st Publication: January 16, 2007

Nation of 1st Publication: United States

Author

■ Author: Express, LLC

Author Created: 2-Dimensional artwork

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Anonymous: No

Pseudonymous: No

Copyright claimant

Copyright Claimant: Express, LLC

One Limited Parkway, Columbus, Ohio, 43230

Limitation of copyright claim

Previously registered: No

Certification

Name: Frank J. Colucci

Date: December 5, 2007

IPN#:

Registration #:

Service Request #: 1-23770758

Colucci & Umans
Frank J Colucci, Esq
218 East 50th Street
New York, New York 10022

PLACEMENT 1 OF 2. CENTER CHEST. ARTWORK NOT ACTUAL SIZE.
PLEASE RESIZE ACCORDING TO BELOW INSTRUCTIONS.

ALL BLACK IS DROPOUT!!

LAYER A:
WATERBASED
SCREENPRINT

LAYER B:
WATERBASED
SCREENPRINT



10"

PLACEMENT 2 OF 2. CENTER BACK. ARTWORK NOT ACTUAL SIZE.
PLEASE RESIZE ACCORDING TO BELOW INSTRUCTIONS.

ALL BLACK IS DROPOUT!!



4"

2405



BODY COLOR: BLACK

WASH

SEE TECH PACK

GRAPHIC NAME

AFTER FOREVER

BODY STYLE

22P3041

TECHNIQUE

SCREENPRINT

VENDOR

TXM

DATE

10.27.06

GROUND	LAYER A	LAYER B	
BLACK	BRIGHT PURPLE	WHITE	

GRAPHIC INFO

2405



2.5" down from top of sweat
rib to top edge of graphic



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Registration Number:

VA 1-623-559

Effective date of
registration:

December 6, 2007

Title _____

Title of Work: Twin Lion Loyalty

Nature of Work: T-Shirt Design

Completion/ Publication _____

Year of Completion: 2006

Date of 1st Publication: January 16, 2007

Nation of 1st Publication: United States

Author _____

■ Author: Express, LLC

Author Created: 2-Dimensional artwork

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Anonymous: No

Pseudonymous: No

Copyright claimant _____

Copyright Claimant: Express, LLC

One Limited Parkway, Columbus, Ohio 43230

Limitation of copyright claim _____

Previously registered: No

Certification _____

Name: Frank J Colucci

Date: December 5, 2007

IPN#:

Registration #:

Service Request #: 1-23783150

Colucci & Umans
Frank J Colucci Esq
218 East 50th Street
New York, NY 10022

GRAPHIC INFO

2411



Exhibit A - 21

BODY COLOR: NEW MOSS

WASH

SEE TECH PACK.

GRAPHIC NAME

TWIN LION LOYALTY

BODY STYLE

22P3110

TECHNIQUE

WATERBASED SCREENPRINT + DIRECT EMBY

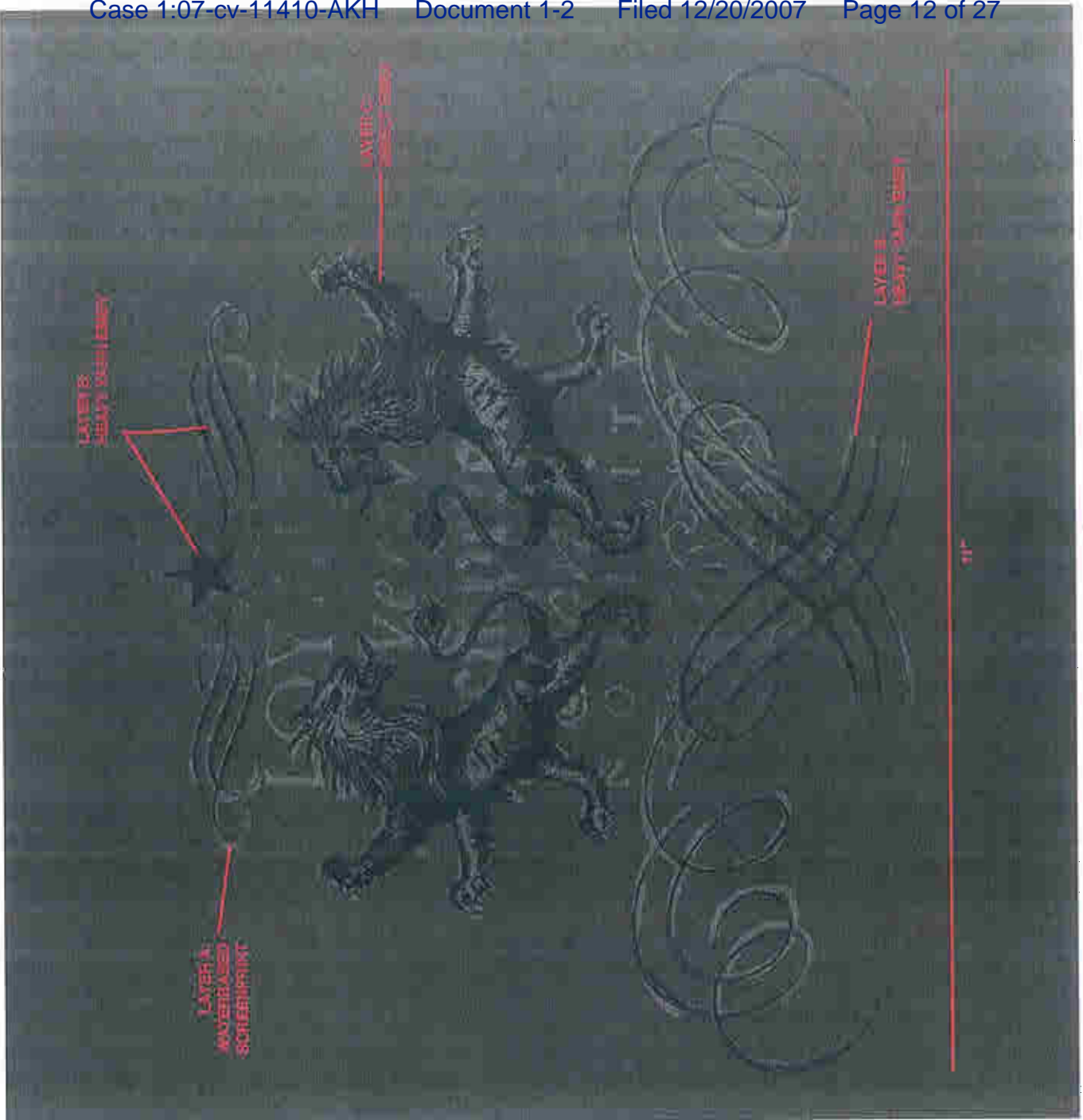
VENDOR

TXM

DATE

11.02.06

GROUND	LAYER A	LAYER B	LAYER C
NEW MOSS	TARRAGON	BLACK	BLACK



Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Registration Number:

VA 1-623-646

Effective date of registration:

December 6, 2007

Title

Title of Work: Novus Ordo

Nature of Work: T-Shirt Design

Completion/Publication

Year of Completion: 2006

Date of 1st Publication: March 5, 2007

Nation of 1st Publication: United States

Author

Author: Express, LLC

Author Created: 2-Dimensional artwork

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Anonymous: No

Pseudonymous: No

Copyright claimant

Copyright Claimant: Express, LLC

One Limited Parkway, Columbus, Ohio, 43230

Limitation of copyright claim

Previously registered: No

Certification

Name: Frank J. Colucci

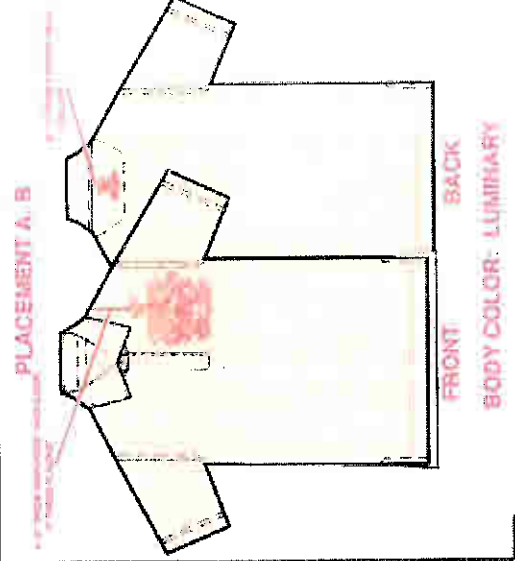
Date: December 5, 2007

IPN#:

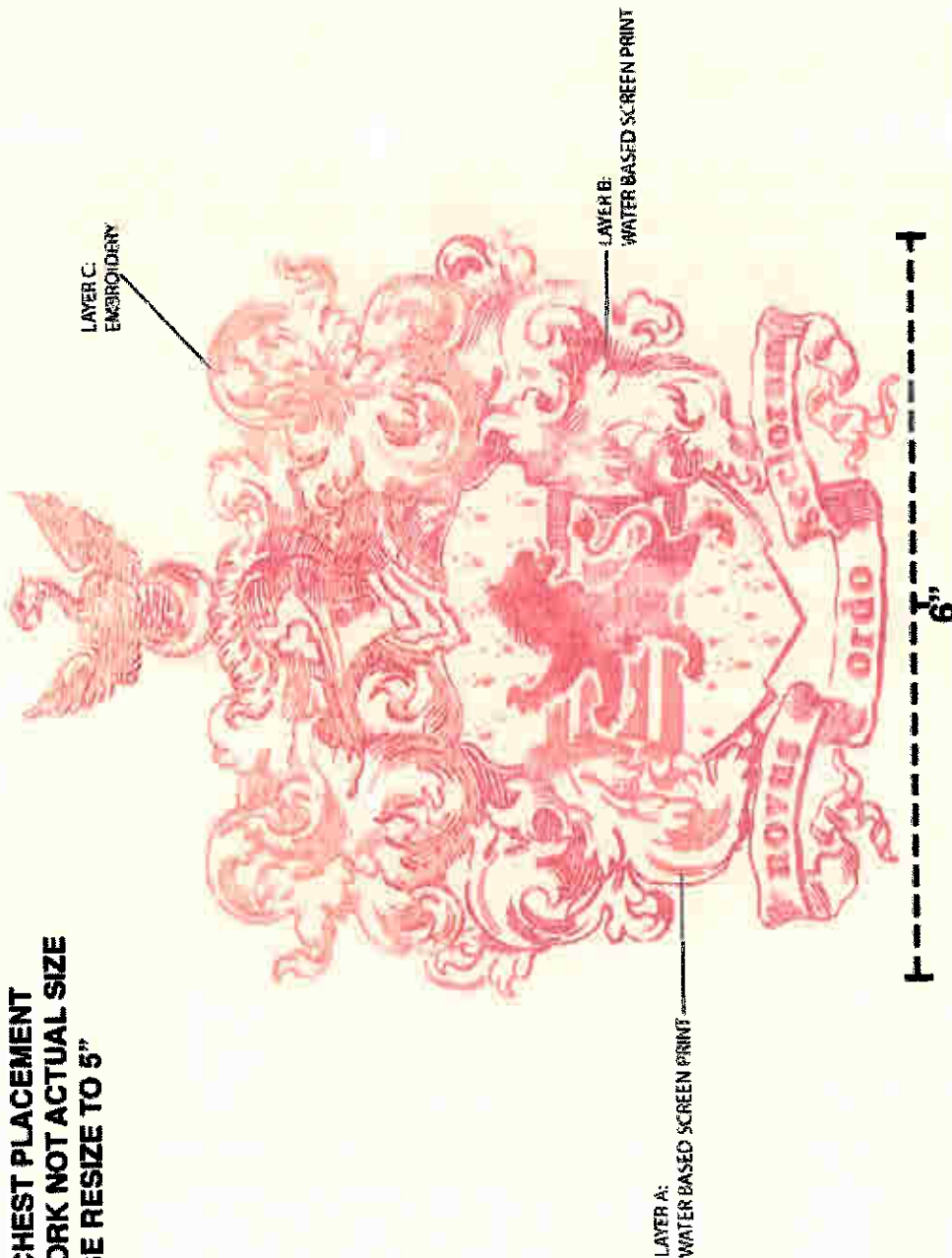
Registration #:

Service Request #: 1-23782918

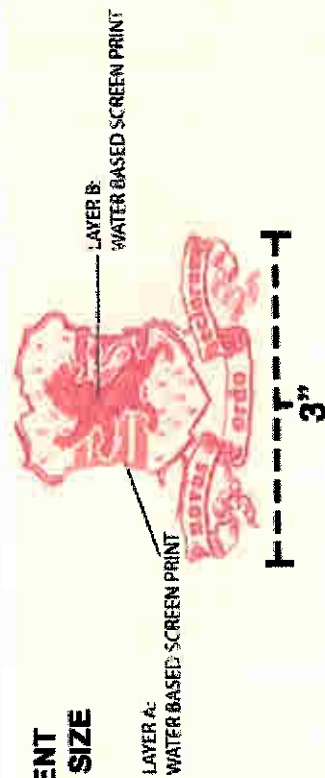
Colucci & Umans
Frank J Colucci, Esq
219 East 50th Street
New York, NY 10022

GRAPHIC INFO	
2416	
PLACEMENT	
 <p>PLACEMENT A, B</p> <p>FRONT BACK</p> <p>BODY COLOR: LUMINARY</p>	
WASH	
SEE TECH PACK	
GRAPHIC NAME	
NOVUS ORDO	
BODY STYLE	
22SS383	
TECHNIQUE	
WATER BASED SCREEN PRINT	
EMBROIDERY	
VENDOR	
TXM	
DATE	
11/22/05 DM	
GROUND LUMINARY	LAYER A: NOVUS
LAYER B: LUMINARY	LAYER B: ORDO
LAYER C: LUMINARY	LAYER C: LUMINARY

LEFT CHEST PLACEMENT
ARTWORK NOT ACTUAL SIZE
PLEASE RESIZE TO 5"



REAR COLLAR PLACEMENT
ARTWORK NOT ACTUAL SIZE
PLEASE RESIZE TO 3"



Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Registration Number:

VA 1-623-558

Effective date of registration:

December 6, 2007

Title

Title of Work: Metropol

Nature of Work: T-Shirt Design

Completion/ Publication

Year of Completion: 2006

Date of 1st Publication: February 12, 2007

Nation of 1st Publication: United States

Author

Author: Express, LLC

Author Created: 2-Dimensional artwork

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Anonymous: No

Pseudonymous: No

Copyright claimant

Copyright Claimant: Express, LLC

One Limited Parkway, Columbus, OH, 43230

Limitation of copyright claim

Previously registered: No

Certification

Name: Frank J. Colucci

Date: December 5, 2007

IPN#:

Registration #:

Service Request #: 1-23782802

Colucci & Umans
Frank J. Colucci
218 Faqf 50th Street
New York, NY 10022

GRAPHIC INFO

2426

3" down from top of neck
rib to top edge of graphic



BODY COLOR: BLACK

WASH

SEE TECH PACK.

GRAPHIC NAME

METROPOL

BODY STYLE

22P3110

TECHNIQUE

FOIL + WATERBASED SCREENPRINT

VENDOR

TXM

DATE

11.29.06

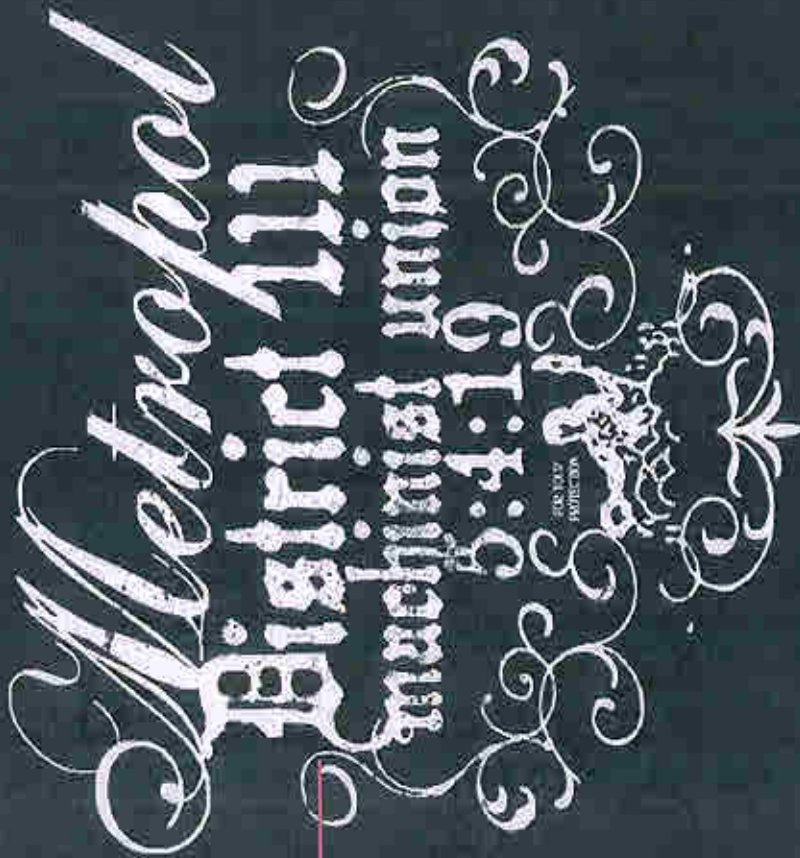
GROUND	LAYER A	LAYER B
BLACK	BLACK	WHITE

PLACEMENT: CENTER CHEST.
ARTWORK NOT ACTUAL SIZE.
PLEASE RESIZE ACCORDING
TO BELOW INSTRUCTIONS.

ALL BLACK IS DROPOUT!!

LAYER A:
FOIL

LAYER B:
WATERBASED
SCREENPRINT



11"

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Registration Number:

VA 1-623-648

Effective date of registration:

December 6, 2007

Title

Title of Work: Spoils-Methods

Nature of Work: T-Shirt Design

Completion/ Publication

Year of Completion: 2006

Date of 1st Publication: February 12, 2007

Nation of 1st Publication: United States

Author

■ Author: Express, LLC

Author Created: 2-Dimensional artwork

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Anonymous: No

Pseudonymous: No

Copyright claimant

Copyright Claimant: Express, LLC

One Limited Parkway, Columbus, OH, 43230

Limitation of copyright claim

Previously registered: No

Certification

Name: Frank J. Colucci

Date: December 5, 2007

IPN#:

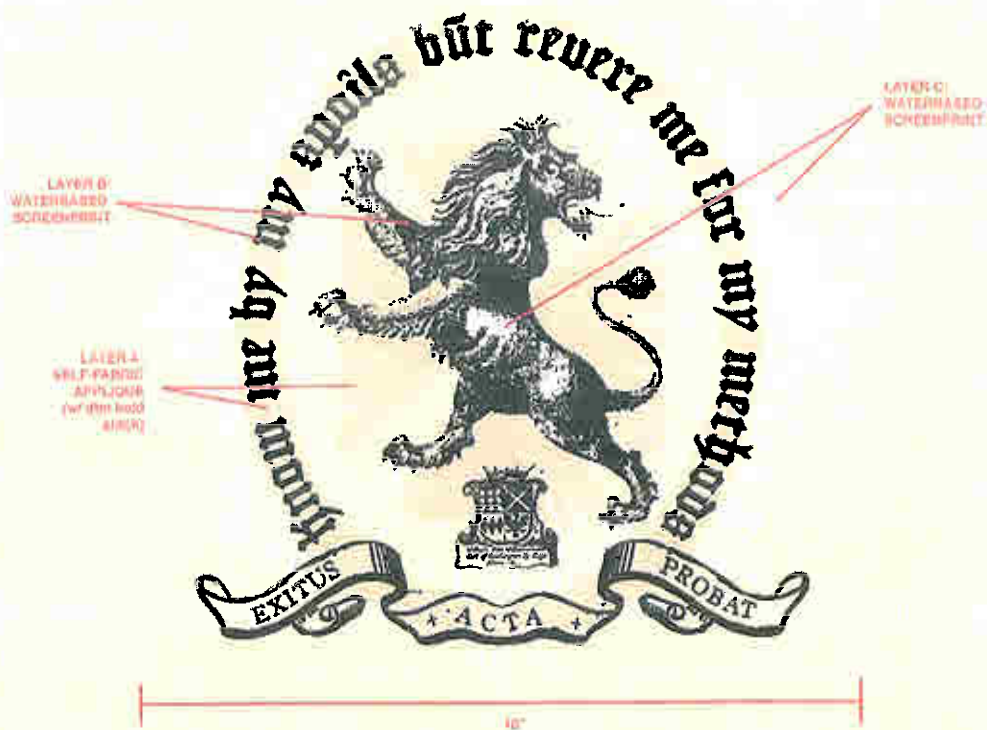
Registration #:

Service Request #: 1-23783034

Colucci & Umans
Frank J. Colucci, Esq.
218 East 50th Street
New York, NY 10022

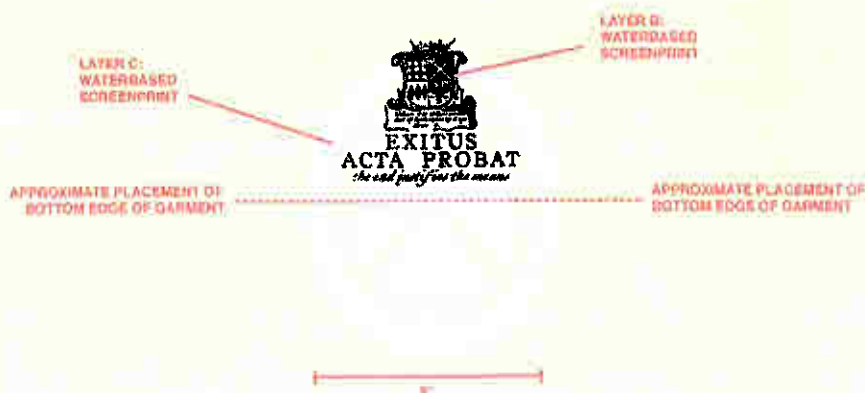
PLACEMENT 1 OF 2: CENTER CHEST.
ARTWORK NOT ACTUAL SIZE.
PLEASE RESIZE ACCORDING
TO BELOW INSTRUCTIONS.

ALL LUMINARY IS DROPOUT!!



PLACEMENT 2 OF 2: CENTER BACK.
ARTWORK NOT ACTUAL SIZE.
PLEASE RESIZE ACCORDING
TO BELOW INSTRUCTIONS.

ALL LUMINARY IS DROPOUT!!



2428

2428

2" shown from top of neck to top edge of graphic.



BODY COLOR: LUMINARY.

WASH

SEE TECH PACK

GRAPHIC NAME

SPOILS-METHODS

BODY STYLE

22P3110

TECHNIQUE

WATERBASED SCREENPRINT - SELF FADING APPLIQUE

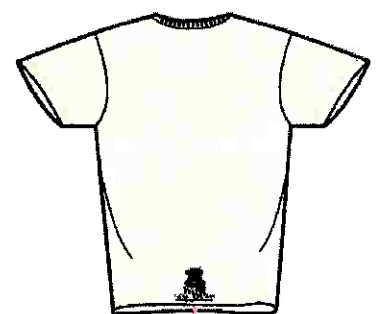
VENDOR

TXM

DATE

11.30.06

GROUND	LAYER A	LAYER B	
LUMINARY	WHITE	BLACK	



Prints off of bottom edge of garment

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For additional copies, check the Copyright Office
website at www.copyright.gov, write the Copy-
right Office, or call (202) 707-6000.

Form VA
Fee a Week of the Fiscal Year
UNITED STATES COPYRIGHT OFFICE
REGISTRATION NUMBER

VA VAU
EFFECTIVE DATE OF REGISTRATION
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

Title of This Work ▼

Honor Skull

NATURE OF THIS WORK ▼ See instructions

T-Shirt Design

Previous or Alternative Titles ▼

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼

Number ▼

Issue Date ▼

On Pages ▼

NAME OF AUTHOR ▼

Express, LLC

DATES OF BIRTH AND DEATH

Year Born ▼

Year Died ▼

Was this contribution to the work a
"work made for hire"?

☒ Yes

☐ No

Author's Nationality or Domicile

Name of Country

OR ☐ Citizen of USA

☐ Domiciled in USA

Was This Author's Contribution to the Work

Anonymous? ☐ Yes ☒ No

Pseudonymous? ☐ Yes ☒ No

If the answer to either
of these questions is
"Yes," see detailed
instructions.

Nature of Authorship Check appropriate box(es). See instructions

☐ 3-Dimensional sculpture

☐ Map

☐ Technical drawing

☒ 2-Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☐ Jewelry design

☐ Architectural work

Name of Author ▼

Dates of Birth and Death

Year Born ▼

Year Died ▼

Was this contribution to the work a
"work made for hire"?

☐ Yes

☐ No

Author's Nationality or Domicile

Name of Country

OR ☐ Citizen of

☐ Domiciled in

Was This Author's Contribution to the Work

Anonymous? ☐ Yes ☐ No

Pseudonymous? ☐ Yes ☐ No

If the answer to either
of these questions is
"Yes," see detailed
instructions.

Nature of Authorship Check appropriate box(es). See instructions

☐ 3-Dimensional sculpture

☐ Map

☐ Technical drawing

☐ 2-Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☐ Jewelry design

☐ Architectural work

Year in Which Creation of This Work Was

Completed

2006

This information
must be given
in all cases.

Date and Nation of First Publication of This Particular Work

Complete this information
ONLY if this work
has been published.

Month May

Day 7

Year 2007

USA

Nation

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Express, LLC

One Limited Parkway, Columbus, Ohio 43230

Transfer If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPLICATION RECEIVED

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

MORE ON BACK ▶

- Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
- See detailed instructions.
- Sign this form at line 8.

DO NOT WRITE HERE

Page 1 of _____ pages

EXAMINED BY

FORM VA

CHECKED BY

☐ CORRESPONDENCE☐ YesFOR
COPYRIGHT
OFFICE
USE
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼a. ☐ This is the first published edition of a work previously registered in unpublished form.b. ☐ This is the first application submitted by this author as copyright claimant.c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼

Year of Registration ▼

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼

Account Number ▼

Colucci & Umans

DA037494

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

Frank J. Colucci, Esq.
Colucci & Umans
218 East 50th Street, New York, New York 10022

Area code and daytime telephone number (212) 935-5700

Fax number (212) 935-5728

Email email@colucci-umans.com

CERTIFICATION* I, the undersigned, hereby certify that I am the

check only one ►

☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of Express, LLC

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Frank J. Colucci

Date December 18, 2007

Handwritten signature (X) ▼

X

Name ▼

Frank J. Colucci

Number/Street/Apt ▼

Colucci & Umans, 218 East 50th Street

City/State/ZIP ▼

New York, New York 10022

Certificate
will be
mailed in
window
envelope
to this
address:

YOU MUST

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL 3 ELEMENTS
IN THE SAME PACKAGE

1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

MAIL TO:

Library of Congress
Copyright Office
101 Independence Avenue SE
Washington, DC 20558-8000

*17 USC 506(c): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

GRAPHIC INFO

2382



BODY COLOR: QUANTICO

WASH

SEE TECH PACK

GR APPLIC NAME

HONOR SKULL

BODY STYLE

20F310S

TECHNIQUE

SCREENPRINT + EMBROIDERY

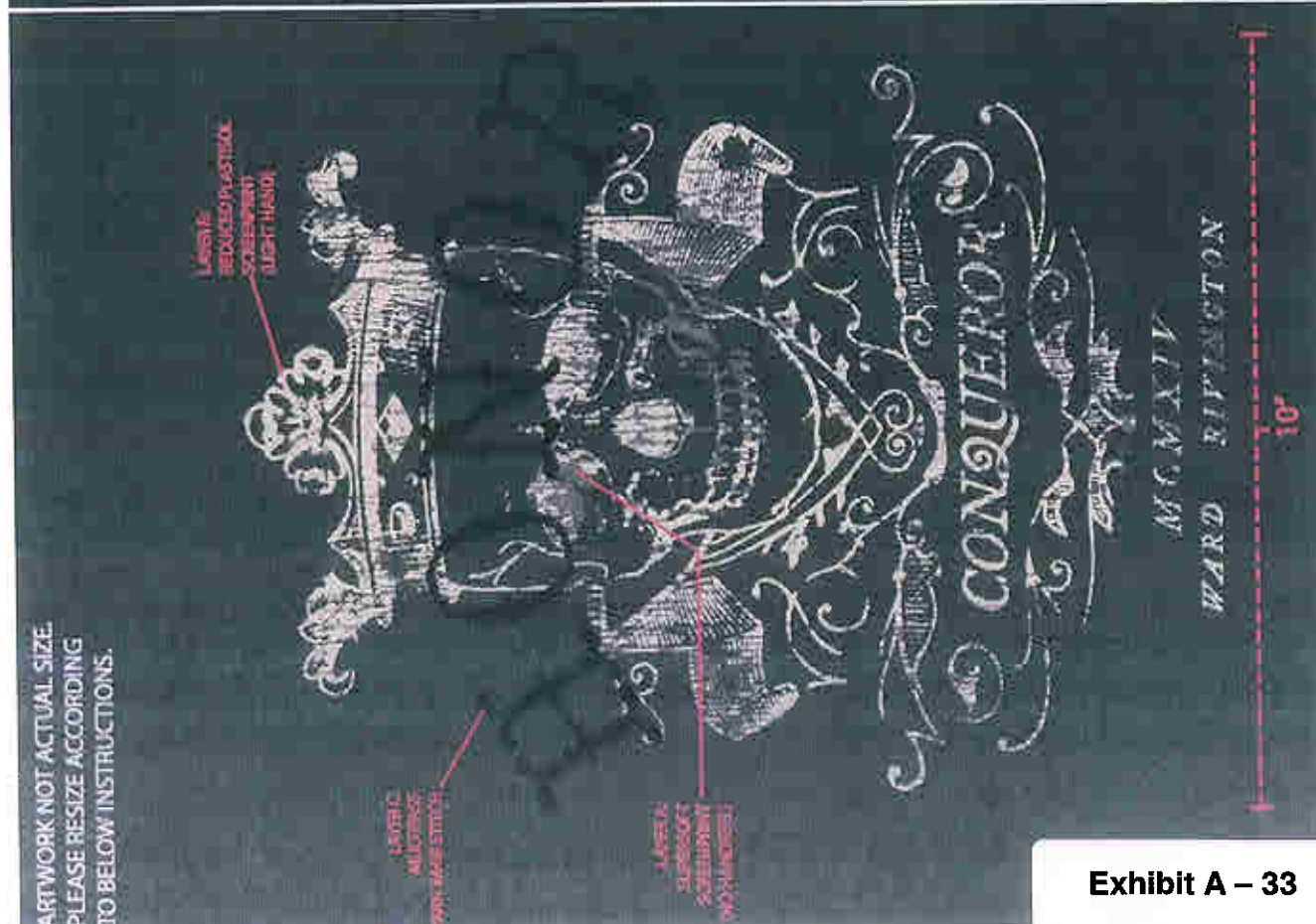
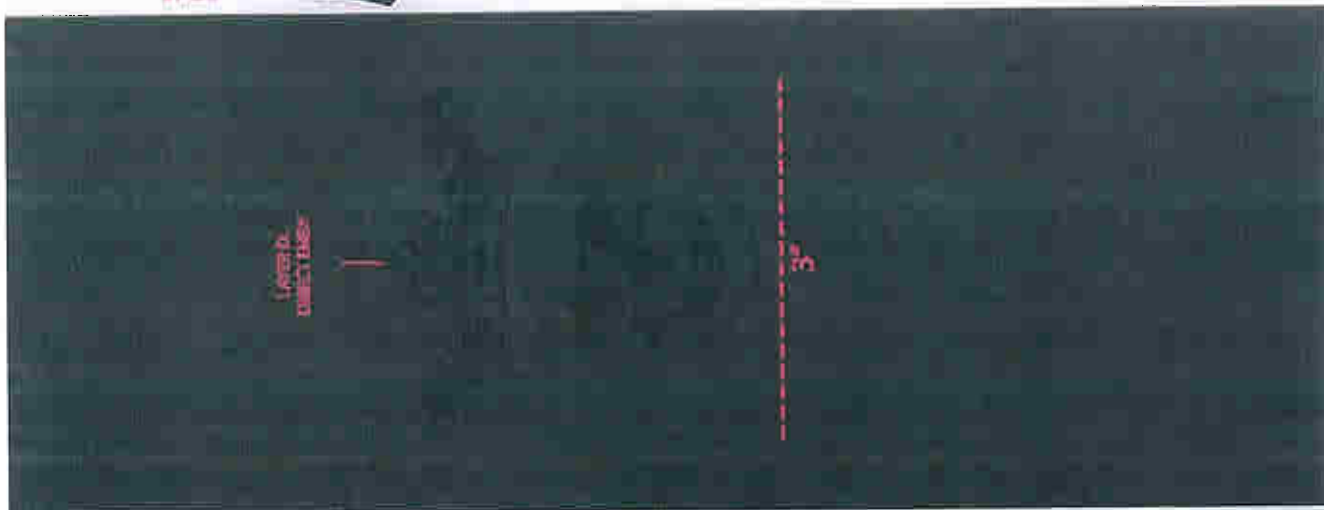
YENDOR

PP

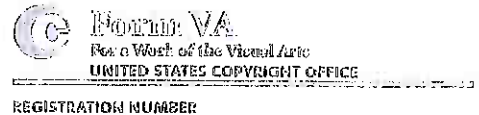
DATE

10.21.06

GROUND	LAYER A	LAYER B	LAYER C	LAYER D
QUANTICO	7588C	7588C	BLACK	BLACK



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VA VAL
EFFECTIVE DATE OF REGISTRATION
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

Title of This Work ▼

NATURE OF THIS WORK ▼ See instructions

Sound Skull

T-Shirt Design

Previous or Alternative Titles ▼

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼

Number ▼

Issue Date ▼

On Pages ▼

NAME OF AUTHOR ▼

a Express, LLC

DATES OF BIRTH AND DEATH

Year Born ▼

Year Died ▼

Was this contribution to the work a "work made for hire"? ☒ Yes ☐ No

Author's Nationality or Domicile
Name of Country

OR { Citizen of USA
Domiciled in USA

Was This Author's Contribution to the Work

Anonymous? ☐ Yes ☒ No

Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions.

Nature of Authorship Check appropriate box(es). See instructions

☐ 3-Dimensional sculpture

☐ Map

☐ Technical drawing

☒ 2-Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☐ Jewelry design

☐ Architectural work

Name of Author ▼

Dates of Birth and Death

Year Born ▼

Year Died ▼

Was this contribution to the work a "work made for hire"? ☐ Yes ☐ No

Author's Nationality or Domicile
Name of Country

OR { Citizen of
Domiciled in

Was This Author's Contribution to the Work

Anonymous? ☐ Yes ☐ No

Pseudonymous? ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

Nature of Authorship Check appropriate box(es). See instructions

☐ 3-Dimensional sculpture

☐ Map

☐ Technical drawing

☐ 2-Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☐ Jewelry design

☐ Architectural work

Year in Which Creation of This Work Was Completed

2006

This information must be given in all cases.

Date and Nation of First Publication of This Particular Work

Complete this information ONLY if this work has been published.

Month January

Day 16

Year 2007

USA

Nation

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Express, LLC

One Limited Parkway, Columbus, Ohio 43230

Transfer If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPLICATION RECEIVED

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

MORE ON BACK ▶

• Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 8.

DO NOT WRITE HERE

Page 1 of _____ pages

EXAMINED BY

RECEIVED

CHECKED BY

☐ CORRESPONDENCE
☐ Yes
FOR
COPYRIGHT
OFFICE
USE
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼
a. ☐ This is the first published edition of a work previously registered in unpublished form.b. ☐ This is the first application submitted by this author as copyright claimant.c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼

Year of Registration ▼

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼

Account Number ▼

Colucci & Umans

DA037494

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

Frank J. Colucci, Esq.
 Colucci & Umans
 218 East 50th Street, New York, New York 10022

Area code and daytime telephone number (212) 935-5700

Fax number (212) 935-5728

Email email@colucci-umans.com

CERTIFICATION* I, the undersigned, hereby certify that I am the

check only one ▶

☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of Express, LLC

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Frank J. Colucci

Date December 14, 2007

Handwritten signature (X) ▼

X

Certificate
will be
mailed in
window
envelope
to this
address:

Name ▼

Frank J. Colucci

Number/Street/Apt ▼

Colucci & Umans, 218 East 50th Street

City/State/ZIP ▼

New York, New York 10022

YOU MUST:

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL FILING FEES
IN THE SAME PACKAGE

1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

Do not include the following items:

Library of Congress
 Copyright Office
 101 Independence Avenue SE
 Washington, DC 20559-8000

*17 USC §506(c): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

SEARCHED INDEXED

2406

3.5" down from top of neck rto top of graphic



BODY COLOR: NEW LAVENDER

WASH

SEE TECH PACK

GR APHC NAME

SOUND SKULL

BODY STYLE

22R3110

TECHNIQUE

WATERBASED SCREENPRINT

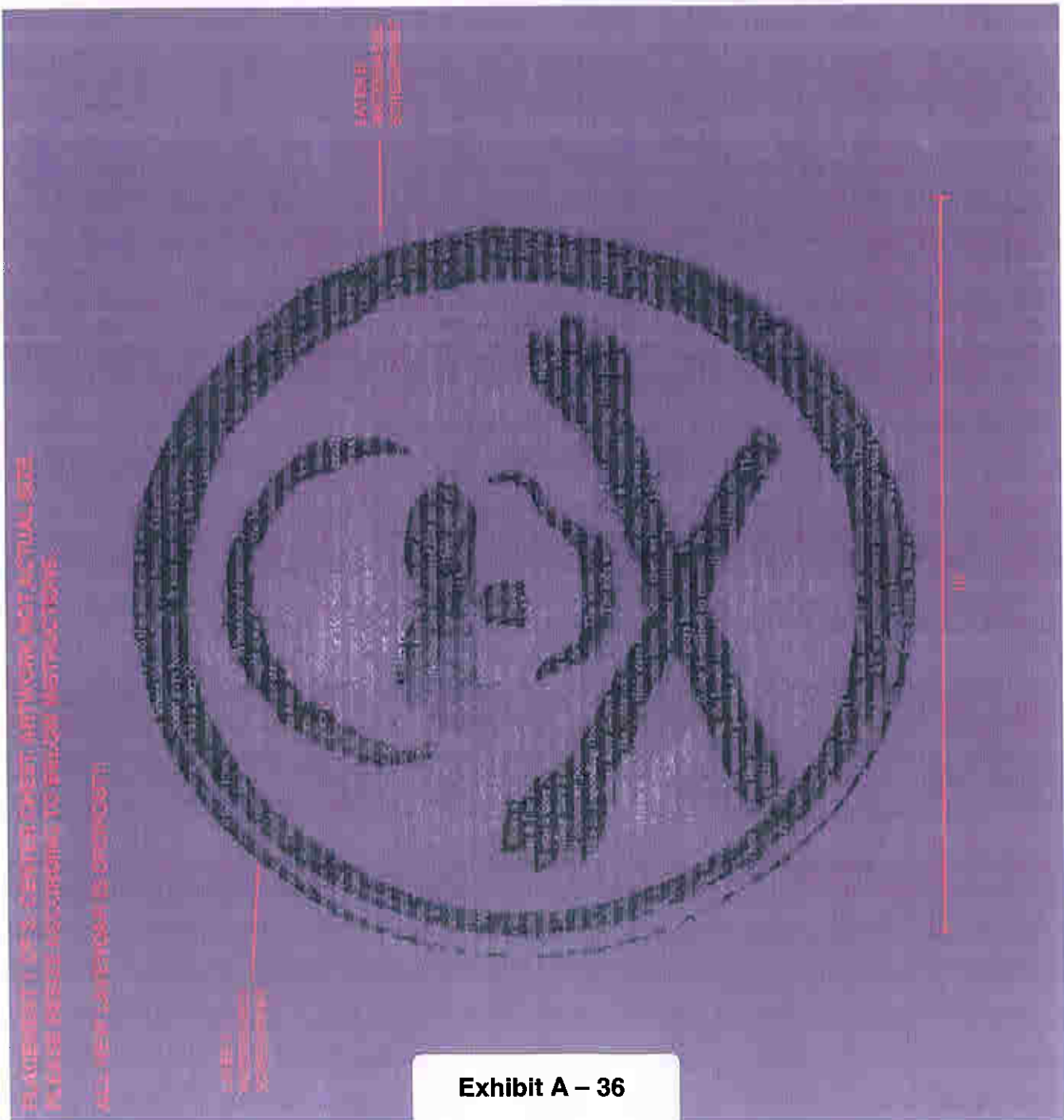
VENICE

TXM

DATE

10.25.05

GROUND	LAYER A	LAYER B	LAYER C	LAYER D
NEW LAVENDER	BLACK	WHITE		
WHITE	CARDBOARD SEA	SUNSHINE E-1061		



EXHIBIT

B

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,090,209

Registered May 9, 2006

**TRADEMARK
PRINCIPAL REGISTER**



EXPRESS, LLC (DELAWARE LTD LIAB CO)
ONE LIMITED PARKWAY
COLUMBUS, OH 43230

THE MARK CONSISTS OF A GRIFFIN DESIGN.

FOR: CLOTHING, NAMELY, SHIRTS AND T-SHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

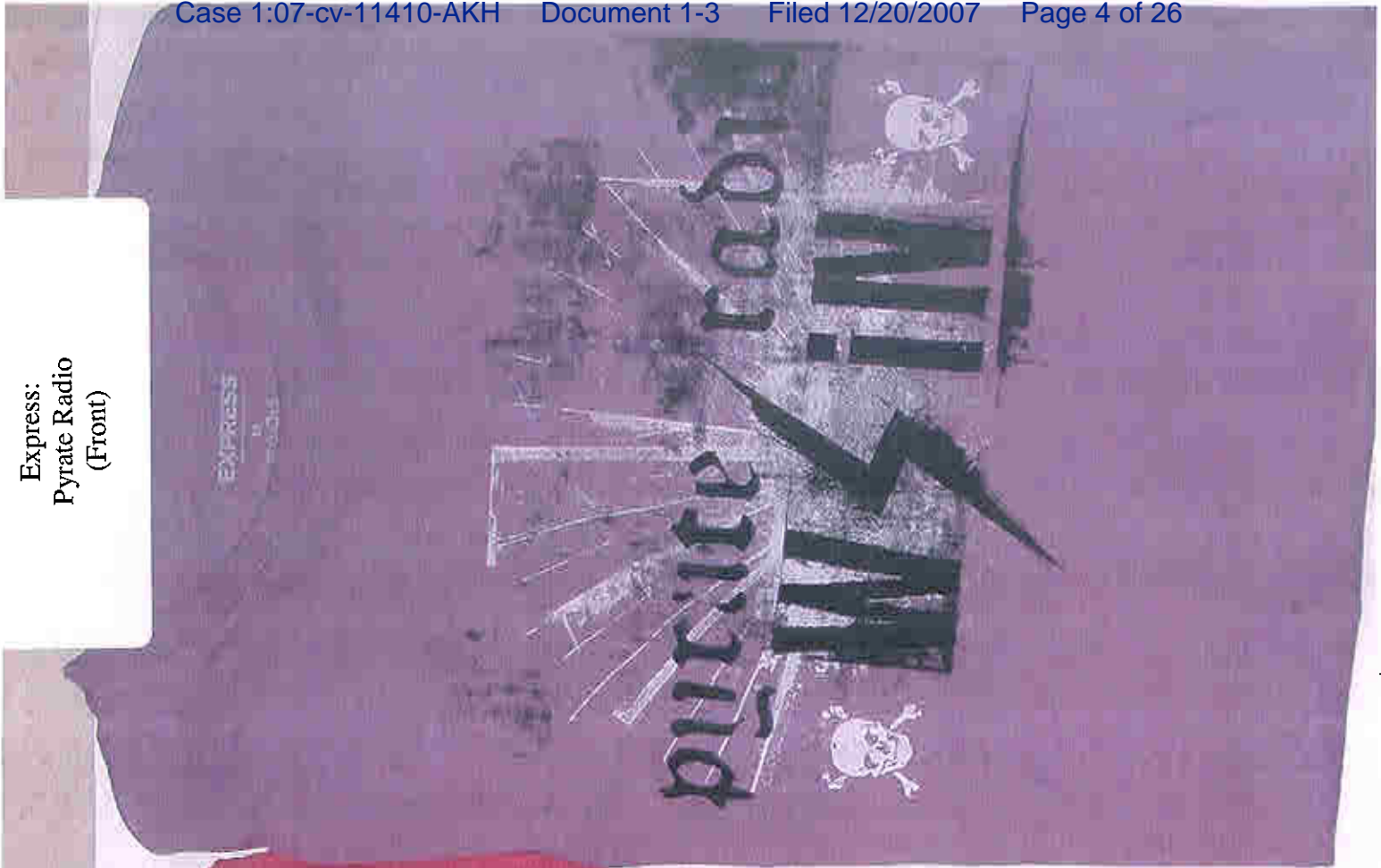
SER. NO. 78-636,766, FILED 5-25-2005.

FIRST USE 2-29-2004; IN COMMERCE 2-29-2004.

MAUREEN DALL, EXAMINING ATTORNEY

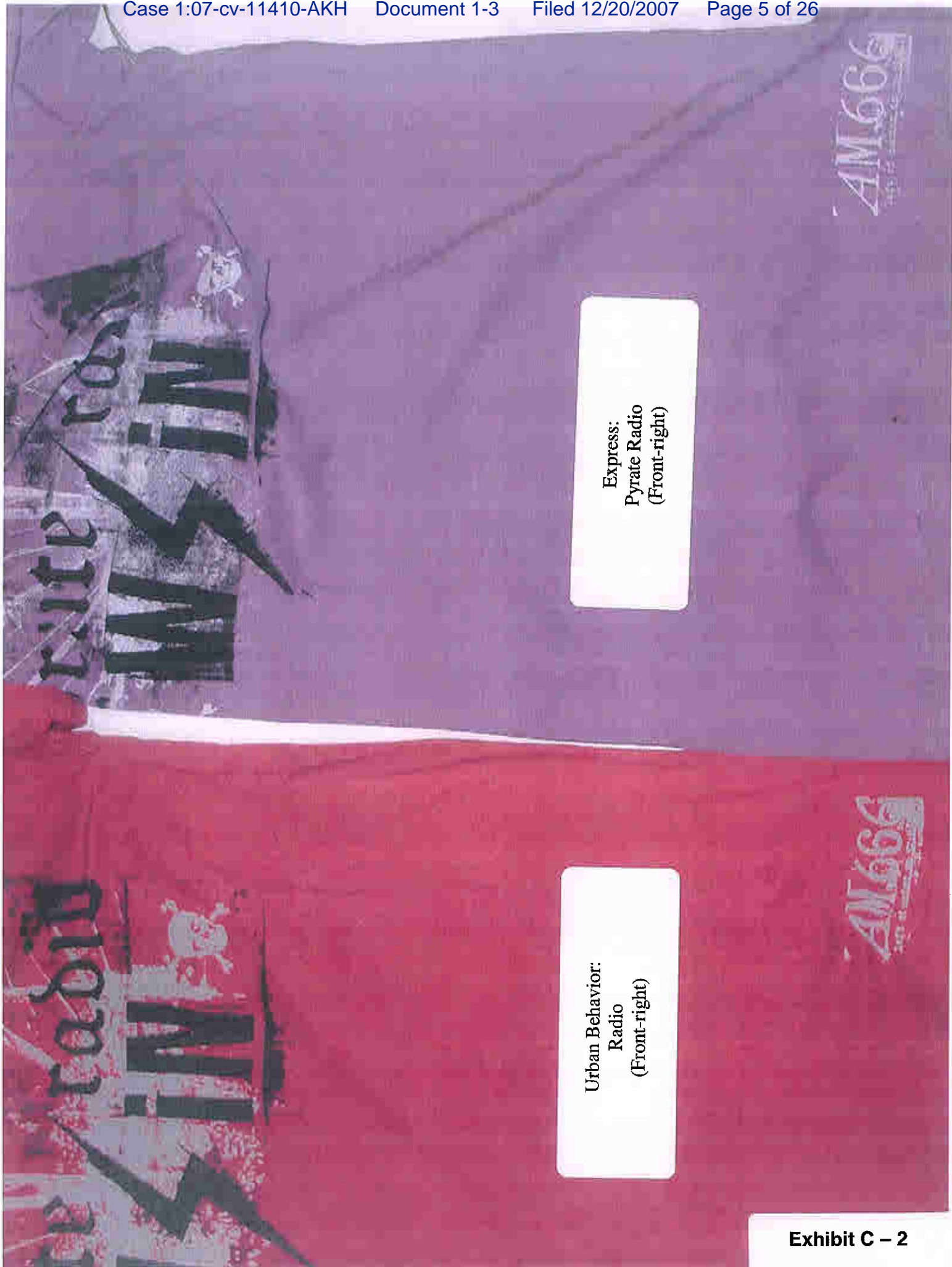
EXHIBIT C

Express:
Pirate Radio
(Front)



Urban Behavior:
Radio
(Front)





Express:
Pyrate Radio
(Front-right)

Urban Behavior:
Radio
(Front-right)

Express:
Triangle Beneath
Canal

IT'S THE ONLY T-SHIRT
YOU'LL EVER NEED TO KNOW



2500

20" (50.8cm) length of body
from top of chest

BODY COLOR: PEARL GREY

SIZE

SEE TECH PACK

SIZE: 10-12

TRIANGLE BENEATH CANAL

SIZE: 10-12

20070107

TECH-PACK

WATERPROOF SCREEN PRINT

SIZE: 10-12

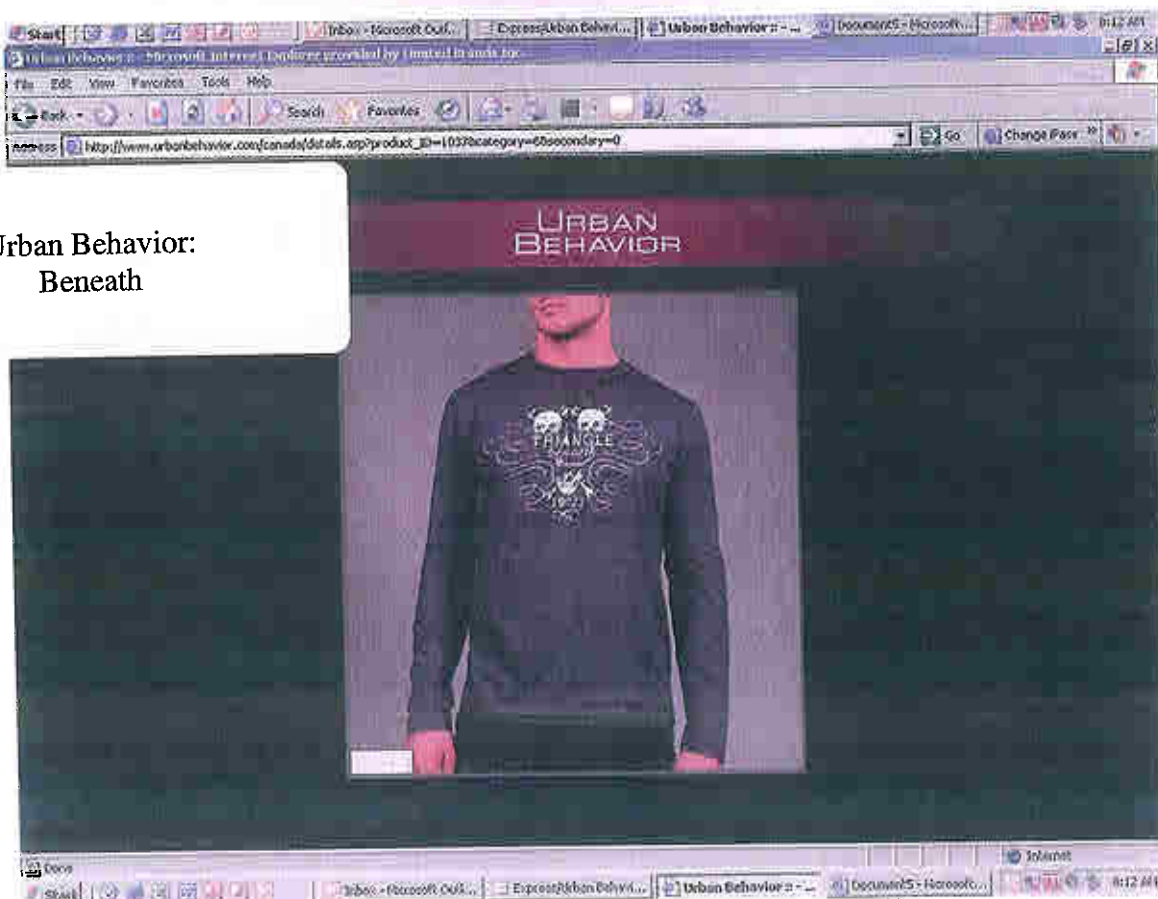
10073

SIZE

20070107

GROUP	LENGTH	WIDTH	SIZE
PEARL GREY	WHITE	STEEL	10-12

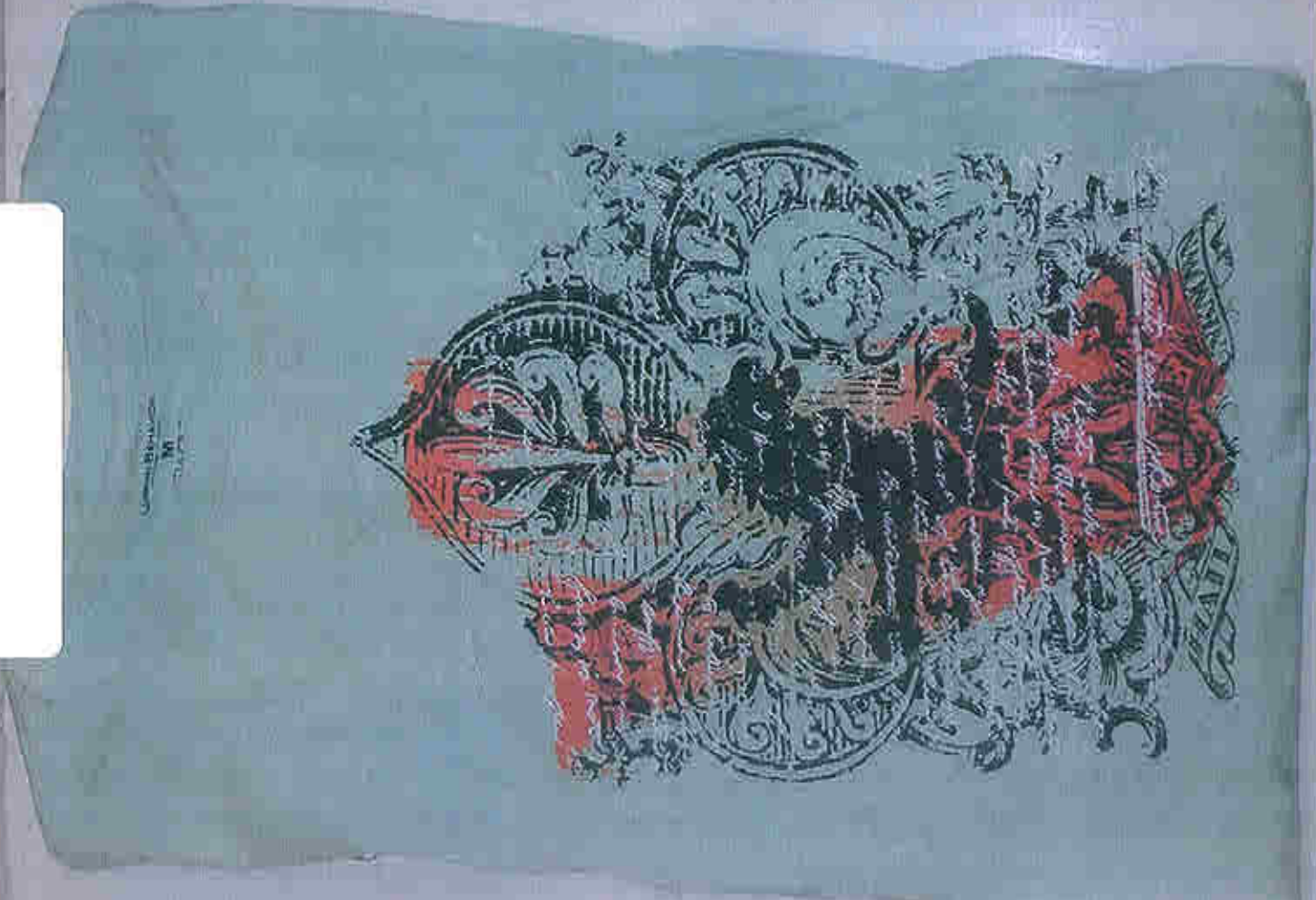
Urban Behavior:
Beneath



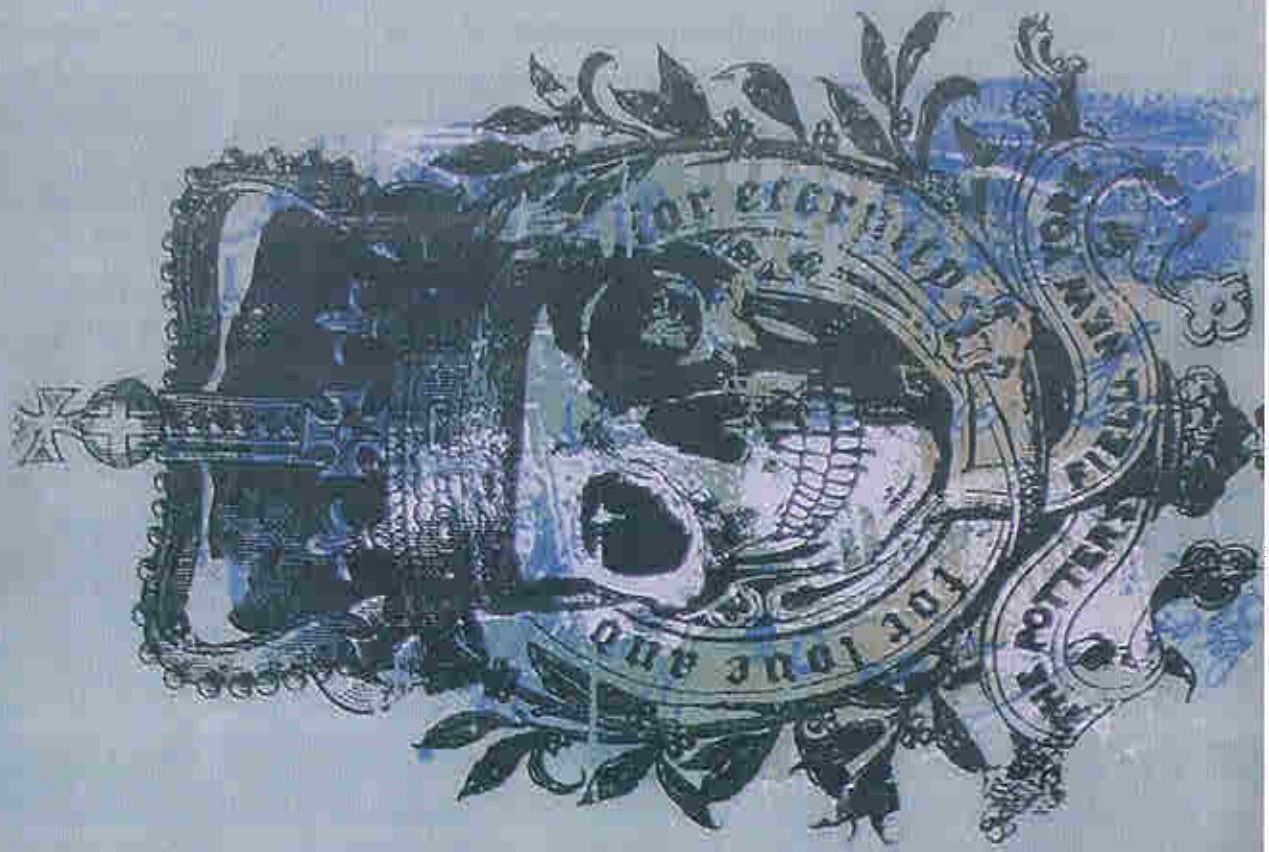
Express:
Fleur de Lion



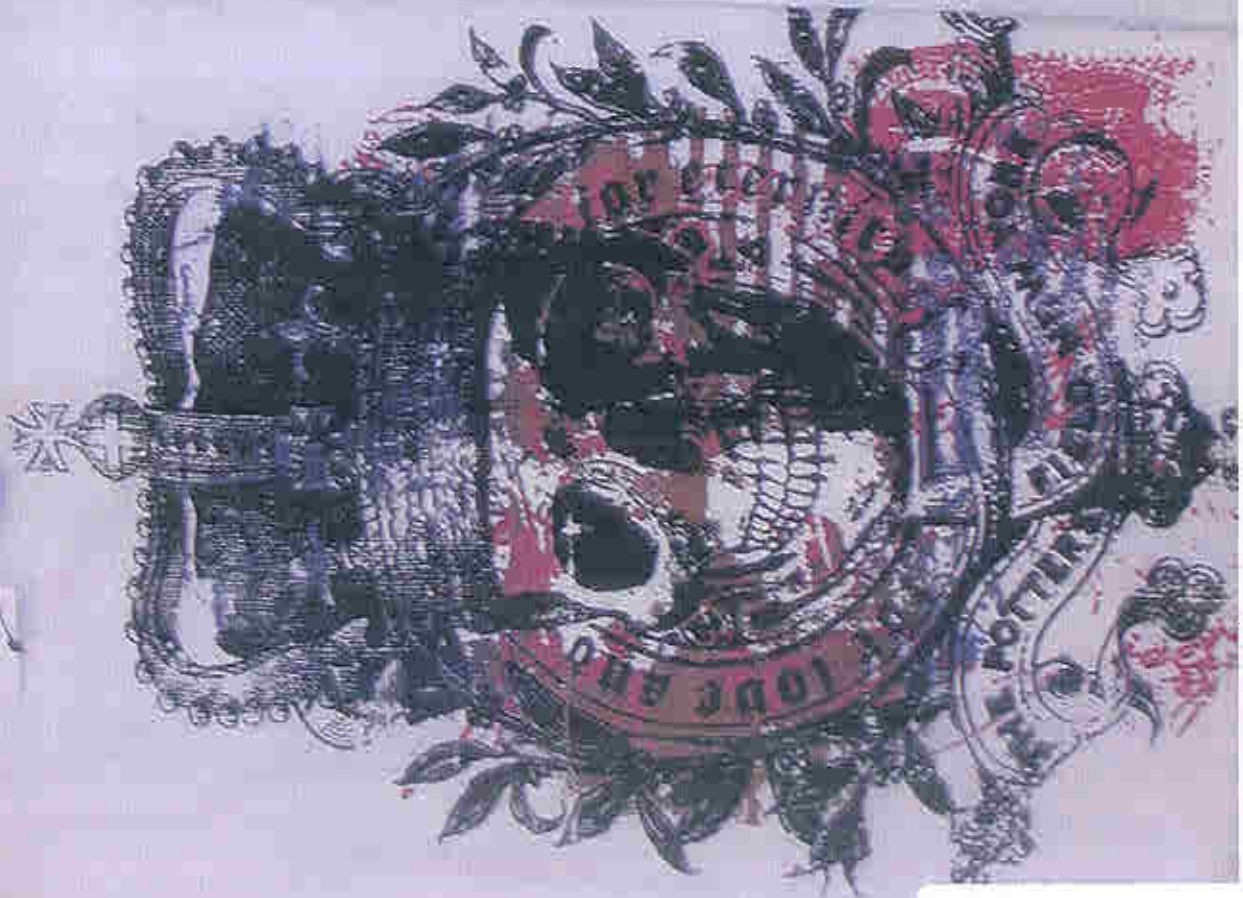
Urban Behavior:
Unknown



Express:
Crown Skull



Urban Behavior:
Skull Print



Urban Behavior:
PhraseExpress:
Night Passes

James G. Thompson
1890-1900
The Great Migration



Down stretches to look across the horizon & you
lie sleepless with the scent of night on your skin.
Trees dance to the sunless rays of morning & the
tiny creatures of the earth arise from within a
secret place. The eyes yet heavy. Lullabies
have run their course. Music who is the skull. As
the sun rises the reason for being here emerges.
Great way & strong wind. The dance that
brought two together made one. A stiff breeze &
the smallest branches scratch at the window. A
growing lands on the sill. A wings & flies away.
The sun is up. It's time to leave. You lift
back the veil. Can last look & yours join



Down stretches to look across the horizon & you
lie sleepless with the scent of night on your skin.
Trees dance to the sunless rays of morning & the
tiny creatures of the earth arise from within a
secret place. The eyes yet heavy. Lullabies
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growing lands on the sill. A wings & flies away.
The sun is up. It's time to leave. You lift
back the veil. Can last look & yours join



Express:
After Forever
(Front)



Urban Behavior:
Forever
(Front)



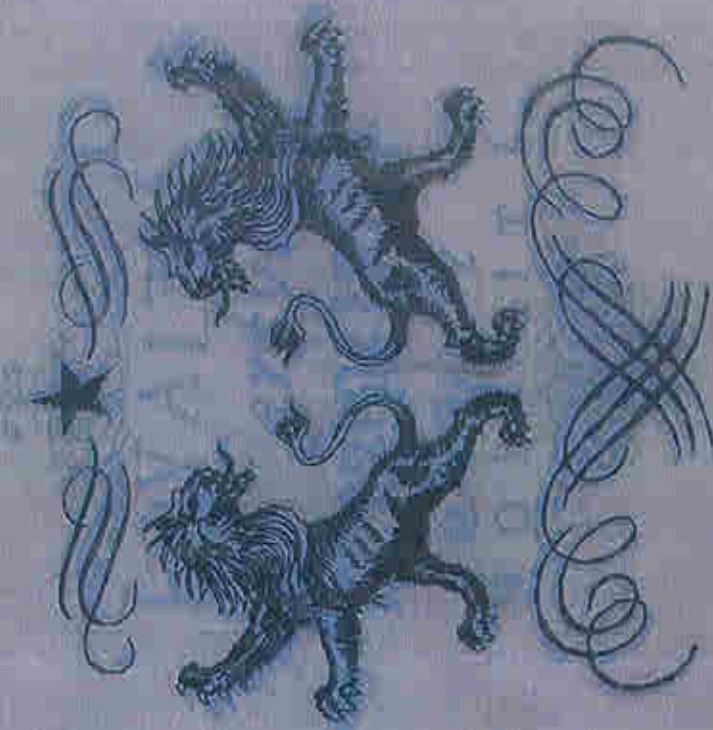
Express:
After Forever
(Back)



Urban Behavior:
Forever
(Back)



Express:
Twin Lion Loyalty



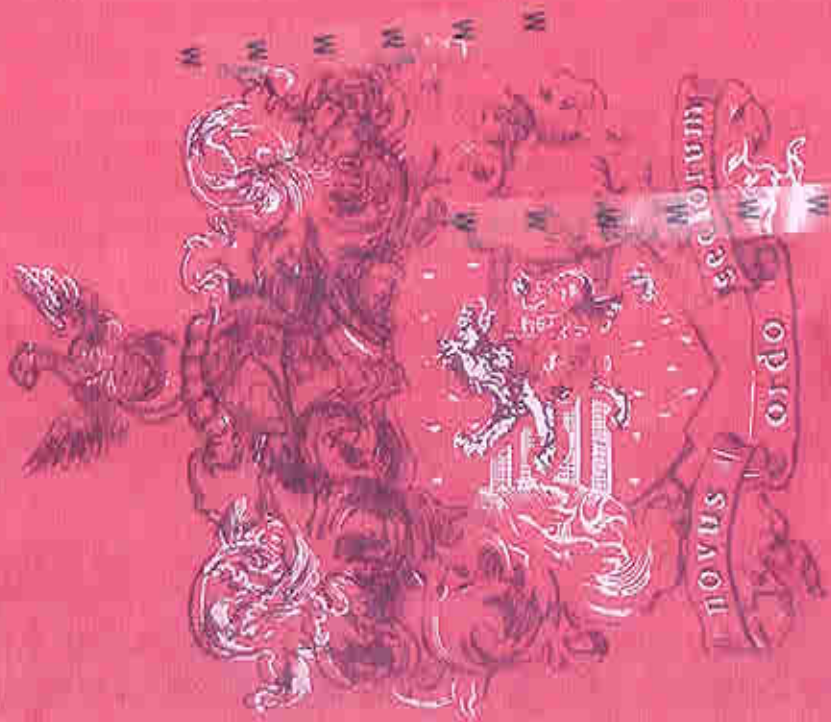
Urban Behavior:
Blitz



Express:
Novus Ordo
(Front)



Urban Behavior:
Griffin
(Front)



Express:
Novus Ordo
(Back)



Urban Behavior:
Griffin
(Back)



Express:
Metropol



Urban Behavior:
Metropol



Express:
Spoils – Methods
(Front)

EXPRESS

WALDO



W W W W W W

Urban Behavior:
Exit
(Front)

EXPRESS

WALDO



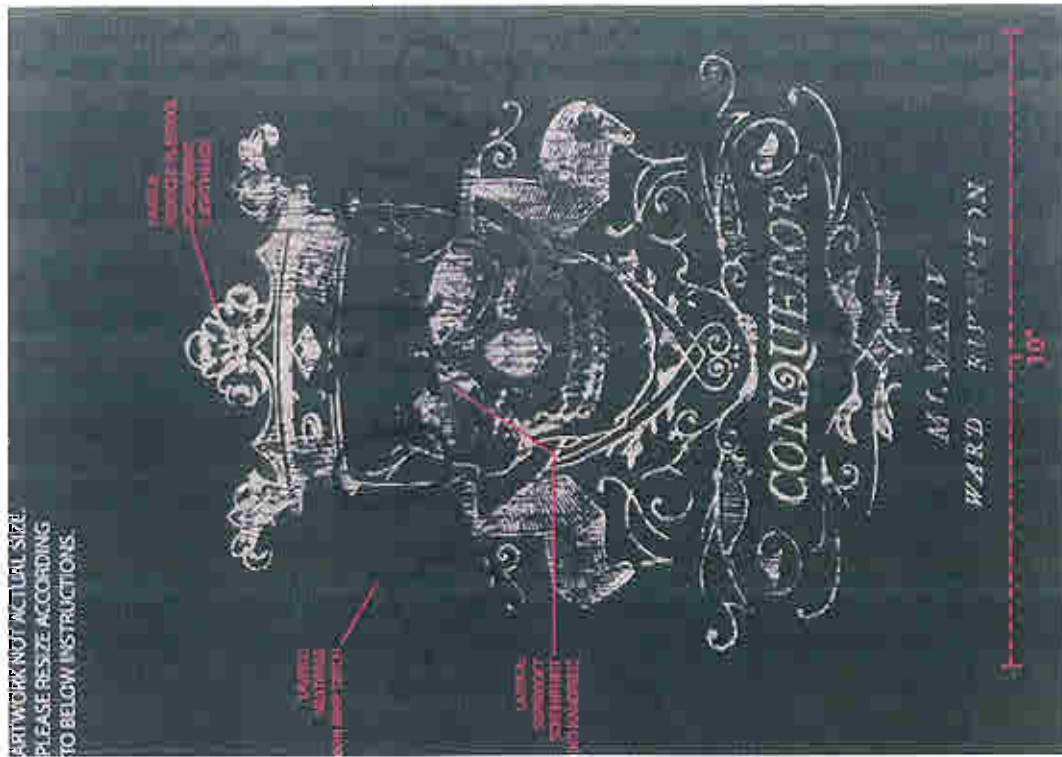
Express:
Spoils – Methods
(Back)



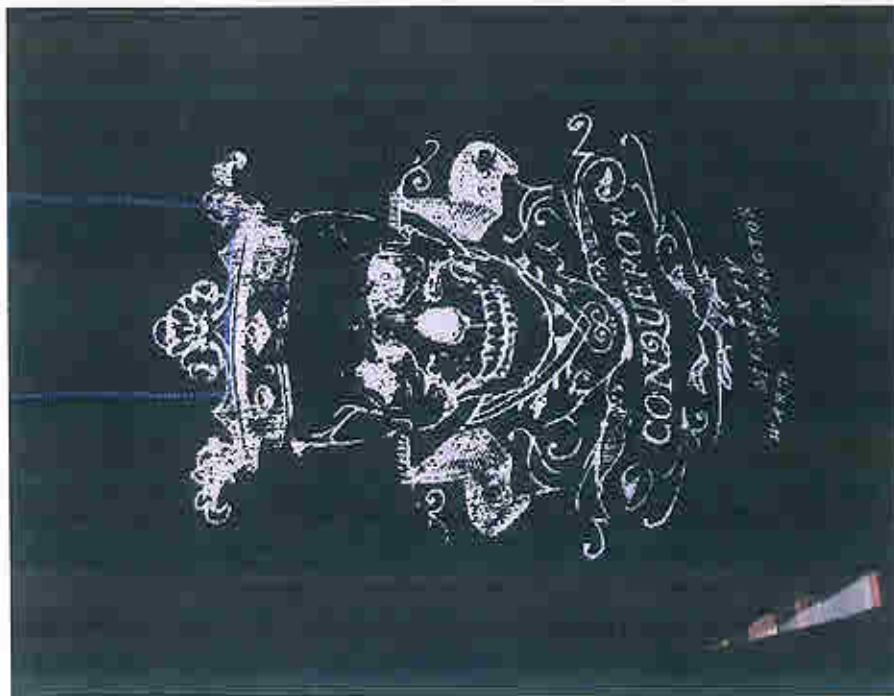
Urban Behavior:
Exit
(Sleeve)



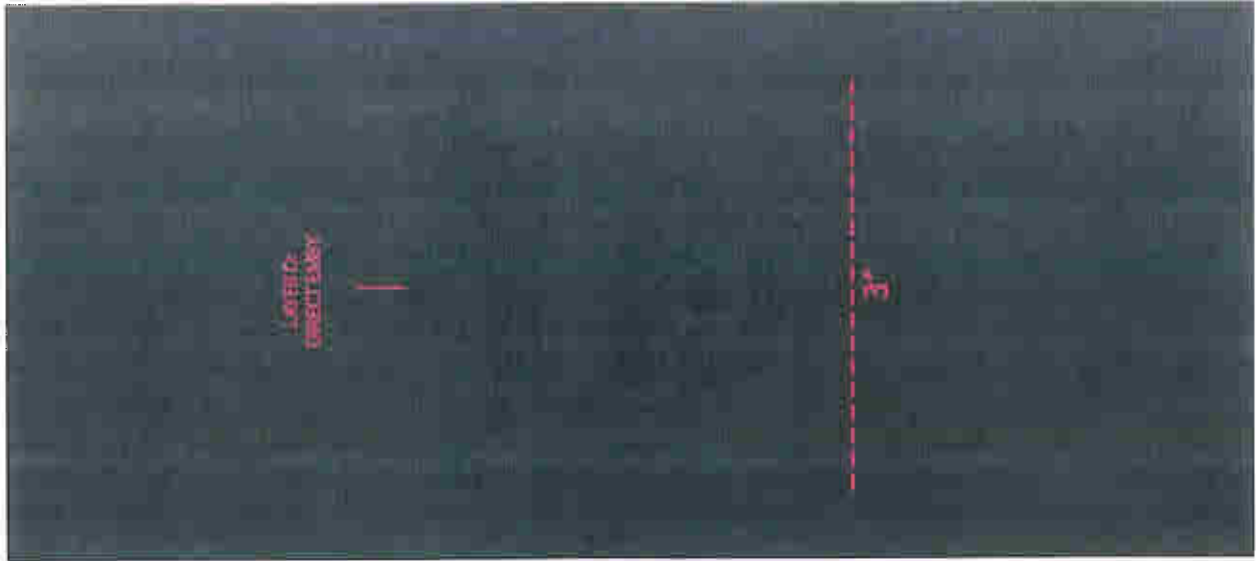
**Express:
Honor Skull
(Back)**



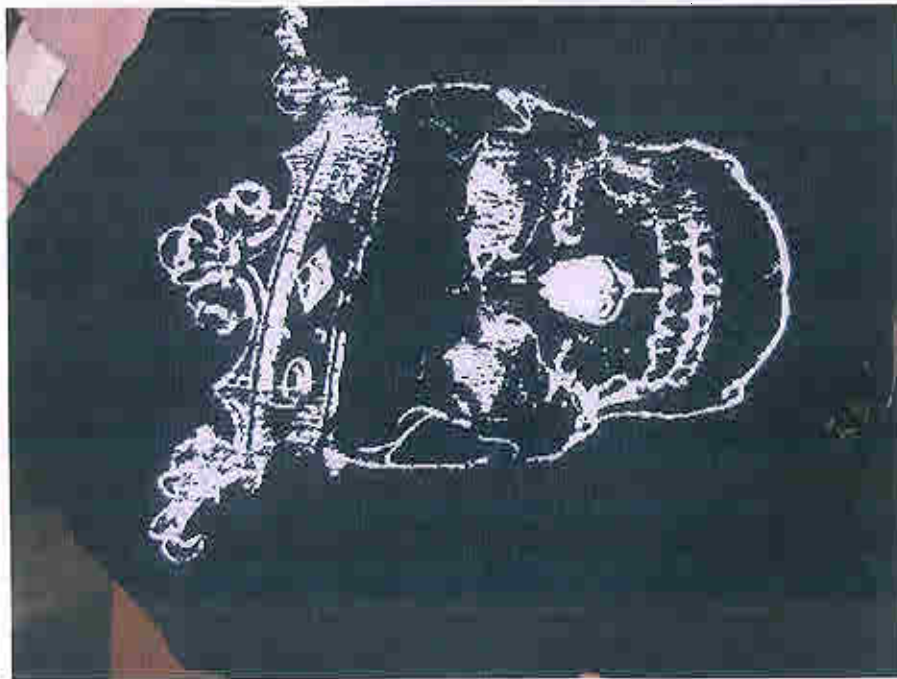
Urban Behavior:
Rascal
(Back)



Express:
Honor Skull
(Front Bottom)



Urban Behavior:
Rascal
(Back Hood)



**Express:
Sound Skull
(Front)**



**Urban Behavior:
Madness
(Front)**



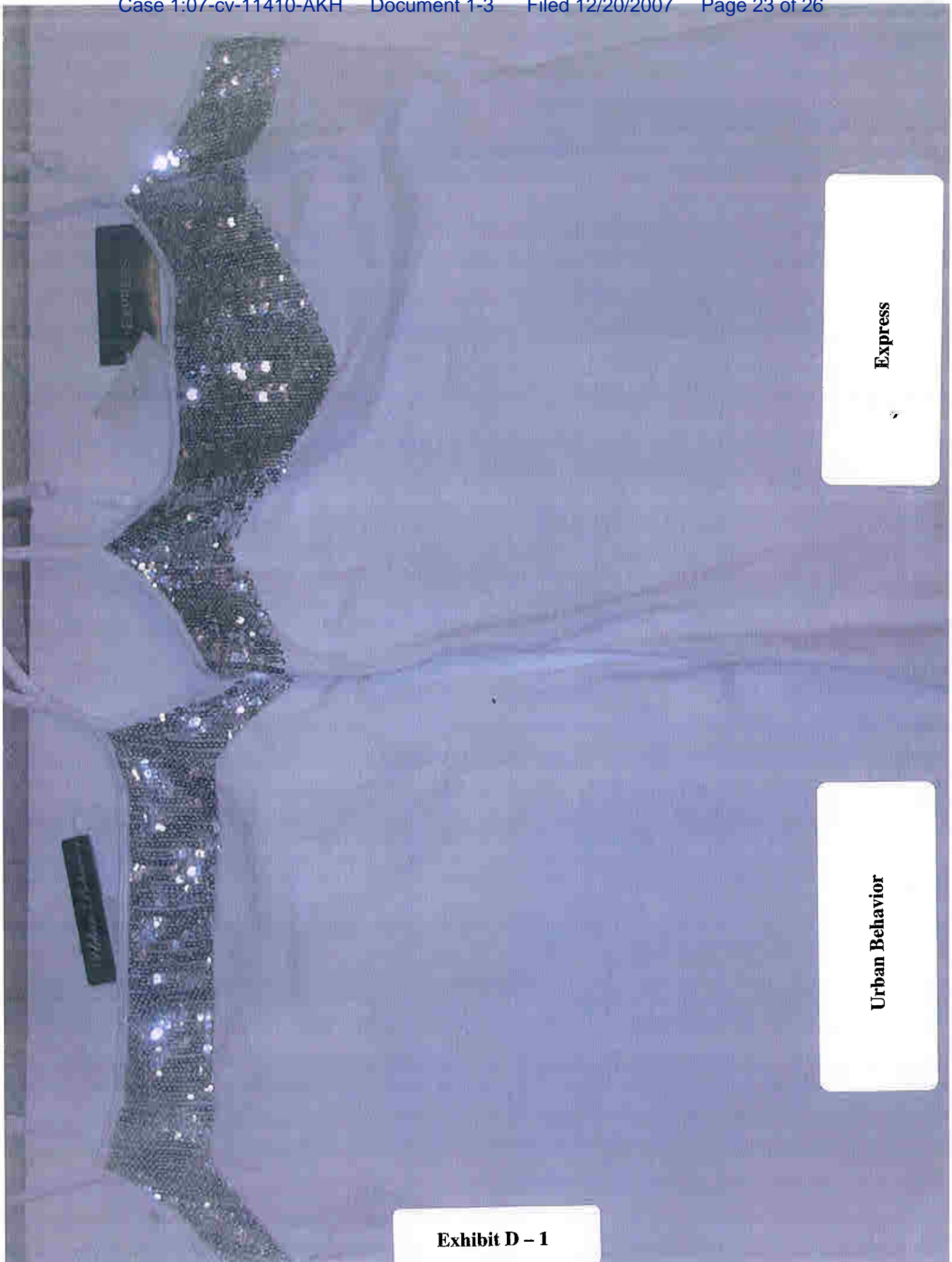
**Express:
Sound Skull
(Back)**

**Urban Behavior:
Madness
(Back)**

Exhibit C – 18

EXHIBIT

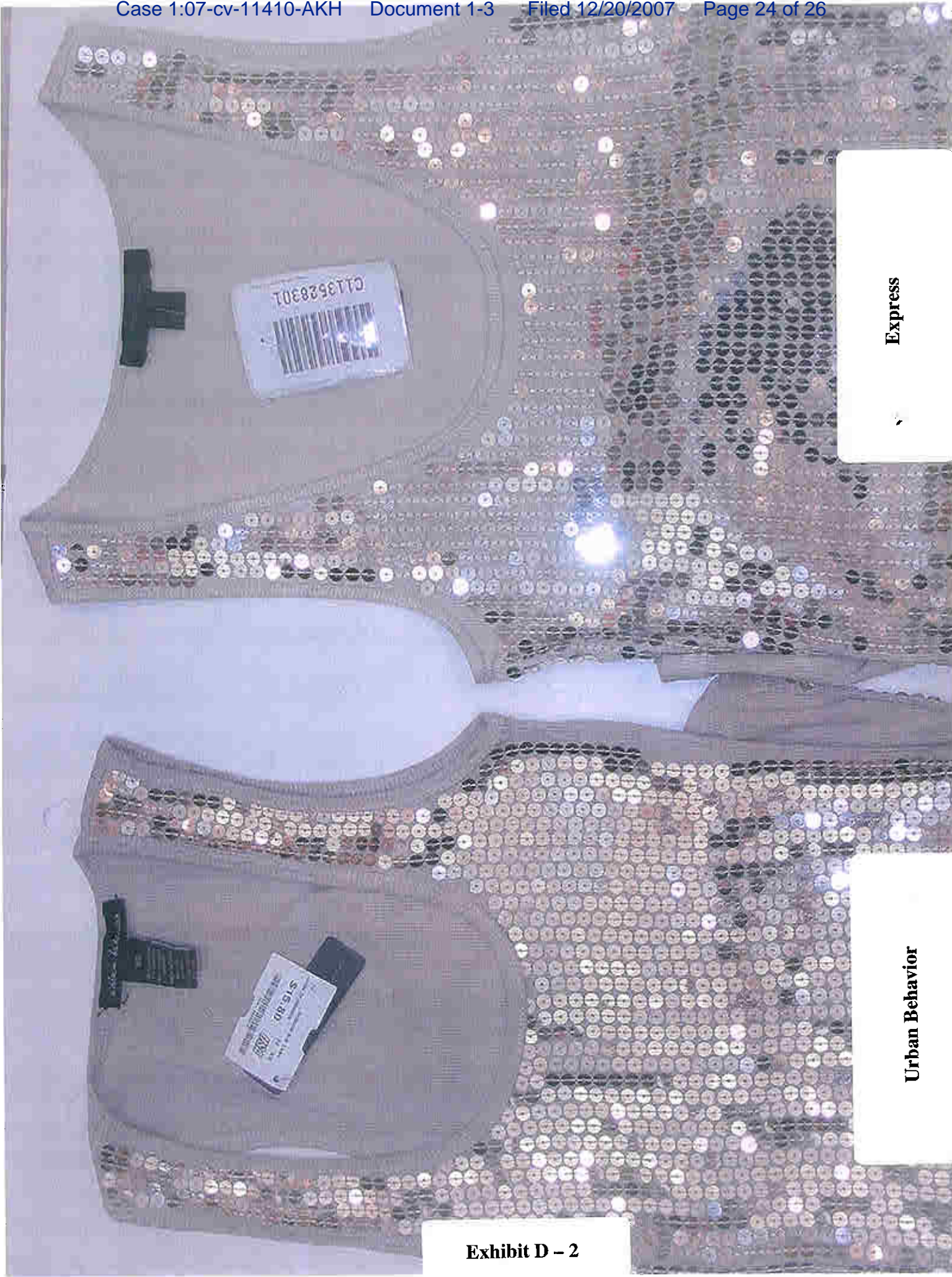
D



Express

Urban Behavior

Exhibit D - 1



Express

Urban Behavior

Exhibit D - 2



Express

Urban Behavior

Exhibit D – 3



Express

Urban Behavior